

104
CONSIDERATION OF MISCELLANEOUS BILLS AND
RESOLUTIONS

Y 4. IN 8/16:B 49

Consideration of Miscellaneous Bill... KUP
RE THE

COMMITTEE ON
INTERNATIONAL RELATIONS
HOUSE OF REPRESENTATIVES
ONE HUNDRED FOURTH CONGRESS

FIRST SESSION

ON

H.J. Res. 83, H. Res. 178,
H. Con. Res. 42, and H. Res. 158

JUNE 29 AND JULY 19, 1995

Printed for the use of the Committee on International Relations



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**MARKUP OF H.J. RES. 83, RELATING TO THE
U.S.-NORTH KOREA AGREED FRAMEWORK;
AND MARKUP OF H. RES. 178, CALLING
UPON THE PEOPLE'S REPUBLIC OF CHINA
TO RELEASE U.S. CITIZEN HARRY WU UN-
CONDITIONALLY AND TO PROVIDE FOR AN
ACCOUNTING OF HIS ARREST AND DETEN-
TION**

THURSDAY, JUNE 29, 1995

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The committee met, pursuant to call, at 2:31 p.m., room 2172, Rayburn House Office Building, Hon. Benjamin A. Gilman (chairman) presiding.

Chairman GILMAN. The committee will please come to order. The Committee on International Relations meets today in open session, pursuant to notice, to consider three legislative items. I know our members are quite fatigued, having been up all night, and we appreciate their attendance and the work of our staff to bring us to this point.

I also recognize that we have had to postpone this meeting on several occasions to accommodate the needs of members in order to work on pending legislation, primarily the Foreign Operations Appropriations Bill.

I plan to withhold my comments on these bills until they are actually before us. I will very briefly outline our agenda, however, at this point. First, our committee will consider H.J. Res 83, relating to the U.S.-North Korea Agreed Framework. That is a framework relating to cooperation with respect to North Korea's nuclear program.

Second, the committee will consider legislation relating to Cuba, which has already been considered in the Subcommittee on the Western Hemisphere and was reported out by the subcommittee on April 5 by a vote of eight ayes to no noes. The committee will have before it an amendment in the nature of a substitute by Chairman Burton, which will be open to amendment at any point.

Finally, our committee will consider a draft House Resolution calling upon the People's Republic of China to unconditionally release Harry Wu, a U.S. citizen, from custody and provide us an accounting of his arrest. I am going to call on a ranking member, Mr.

Hamilton, for any general comment on this point, or he may prefer to wait and address the items one by one? Mr. Hamilton desires to wait.

The first item on our agenda is H.J. Res. 83, which was referred to the Subcommittee on Asia and the Pacific on April 3, and forwarded by that subcommittee to the full committee on April 5 by a vote of eight to zero. The Clerk will report the title of the resolution.

[The joint resolution appears in the appendix.]

The CLERK. H.J. Res. 83, Relating to the United States-North Korea Agreed Framework and the obligations of North Korea under that and previous agreements with respect to the denuclearization of the Korean Peninsula and dialogue with the Republic of Korea.

Chairman GILMAN. Without objection, the preamble and the text of the resolution will be considered as having been read and are open to an amendment at any point.

The chair now recognizes the chairman of the Subcommittee on Asia and the Pacific to present the joint resolution. Mr. Bereuter.

Mr. BEREUTER. Mr. Chairman, thank you very much for scheduling the hearing today on H.J. Res. 83. You have the three amendments that I will offer en bloc shortly. They are technical and conforming amendments.

Mr. Chairman and my colleagues, recent developments concerning North Korea have once again underscored that important American nonproliferation and regional security interest remain at great risk, notwithstanding the October 1994 U.S.-North Korea agreed framework. North Korea remains an outlaw state that will not easily adapt itself to international norms.

This has been underscored by Pyongyang's bitter resistance to accepting light water reactor technology from South Korea. Under the October 1994 accord, recent steps by North Korea have had the effect of unilaterally undermining the Military Armistice Commission that supervises the truce along the demilitarized zone, and recent crossings into the South side of the demilitarized zone by North Korean Army personnel.

In theory, the October 1994 framework agreement provides a mechanism for reining in Pyongyang's nuclear weapons program addressing other U.S. security concerns regarding the Korean Peninsula. With the North Koreans, however, nothing is ever settled, or simple.

Assistant Secretary of State Winston Lord noted at a regional security hearing before the Subcommittee on Asia and the Pacific just 2 days ago that, "We are going to have a very arduous journey in the next 10 or 15 years in implementing the agreed framework."

North Korea's confrontational behavior continues to raise fundamental questions about whether Pyongyang is acting in good faith. North Korea has diverted some of the U.S. supplied heavy oil that we already had delivered under the terms of the agreement. And, the North has continued its relentless political attacks against our ally, South Korea.

North Korea continues to make new and outrageous demands, including a demand for \$1 billion in additional assistance to enhance its power grid and for other purposes. Whether the recent U.S.-North Korean negotiations in Kuala Lumpur will have finally

resolved the impasse over Pyongyang's objections to South Korea's role as a principal supplier of light water reactors to be provided to North Korea under the agreed framework remains to be seen.

H.J. Res. 83 was introduced by this member, together with my friend and distinguished subcommittee colleague from California, Mr. Kim. The resolution provides policy guidance to the administration, as it seeks to engage with North Korea and it has attempted to bolster their position in negotiations.

Not incidentally, the resolution will also send a signal from the Congress to Pyongyang that there can be no deviation from the terms of the U.S.-North Korea agreement. The resolution was modified by the amendments that I will offer. They will all be identical to what the committee adopted earlier in chapter two of Title 26 of H.R. 1561. A slight change will be made to the fourth "whereas" clause to reflect the outcome of the negotiations with North Korea that were concluded in Kuala Lumpur on June 13.

Our amendment today to replace section 4 of the original resolution will be to bring it into conformity with H.R. 1561 version. This language concerning funding notification procedures was changed from the original in an effort to meet the objections and concerns of the State Department. I regret to say that they are still unhappy with this provision, but I feel that it is an important and necessary assertion of this committee's jurisdiction over funding for the agreement, whatever the source of the funds, and I conclude the Department of Energy and Department of Defense.

Despite the fact that the resolution is embedded in the American Overseas Interest Act, there are compelling reasons to adopt it separately. Passage of the resolution will be a fitting expression of congressional support for an ally of more than five decades, the Republic of Korea, on the occasion of the visit of President Kim Yung Sam to attend the dedication of the Korean War Veterans Memorial next month.

I believe there is nothing on this issue that we in Congress can do which is more important than to go on record to emphasize the continuing concern of the United States for maintaining the peace and stability of the Korean Peninsula and to categorically insist that South Korea must be allowed to play a central role in arrangements negotiated by the United States, to address the problems of North Korea's nuclear program.

Let me take a moment to explain more precisely what the legislation does. H.J. Res. has four major sections addressing four concerns. First, it spells out the minimum objectives for U.S. non-proliferation policy in regard to North Korea's obligation under the U.S.-North Korea agreed framework. This is necessary to make it explicitly clear that there can be no retreat from what is in the agreement regarding North Korea's obligation.

Mr. Chairman, I assume my time has expired. May I ask unanimous consent for 3 additional minutes?

Chairman GILMAN. Without objection, the gentleman is recognized for 3 additional minutes.

Mr. BEREUTER. Thank you, Mr. Chairman and thanks to my colleagues. To clarify where Congress stands on issues that the administration may possibly consider as still subject to future negotiations.

Second, it ensures that our longstanding ally, South Korea, remains a key player in the accord, by reaffirming that the Republic of Korea is the only acceptable source for the light water reactors that are to be provided to North Korea under the accord.

Third, the resolution establishes minimum preconditions for further moves toward relaxing U.S. trade sanctions and normalizing relationships with North Korea. These include a requirement that North Korea engage in dialogue with the South, per a 1992 North-South agreement, and also the North-South agreement on Korean Peninsula denuclearization.

It also conditions further steps toward normalization on progress toward the achievement of long standing U.S. goals of reducing the military threat posed by North Korea's excessive military forces, its ballistic missile program and its export of ballistic missiles and other weapons of mass destruction.

This latter point, I think, is particularly important. In my view, and that of many other members of Congress and security policy experts, the administration has been understandably focused, but unduly focused, on containing North Korea's nuclear program and avoiding the need to seek international economic sanctions, and not enough focused on broader U.S. security concerns regarding the North.

Fourth and finally, the resolution imposes notification requirements on the use of reprogram funds to support the agreement, by establishing the same terms and conditions regarding authorizations and appropriations from Non-Foreign Assistance Act sources like those going to DOE and DOD, as would apply to assistance provided to North Korea under the Foreign Assistance Act. This includes a notification of any reprogramming actions to the House International Relations Committee and the Senate Foreign Relations Committee, no matter from what sources the funding is obtained, and full justification for assistance provided under waiver authority to provisions of the Foreign Assistance Act that otherwise would prohibit such assistance. That is the only area with which the State Department takes objections.

Mr. Chairman, I want to assure all the members of the committee that every effort has been made to consider and accommodate the concerns of the administration. The amendment, the original resolution that I propose to be adopted en bloc, reflect either language suggested by the Department of State or efforts to meet their concerns while protecting the goals of the resolution and the jurisdictional interest of the committee.

I had brought to my attention just a few minutes ago a concern that something in the Act may have some impact upon the appropriations process for the 150 accounts, but I think that is clearly not the case. They cannot spend those now without notification and justification, and the impact here is to assure that that kind of notification and justification also takes place for reprogramming purposes for DOD and DOE funds. That is exactly what this subcommittee and what this committee ought to insist, that if these changes in funding are going to take place, we ought to be notified. We ought to have an opportunity to have an impact. I think that is the least we should expect to reserve for the rights of the committee and the Congress of the United States.

I do not think it is unduly complicated. It should not complicate the situation, in short, but I do think it is important.

Chairman GILMAN. The gentleman's time has expired.

Mr. BEREUTER. Mr. Chairman, with those comments, I would ask unanimous consent to extend further my remarks and to offer the three amendments en bloc.

Chairman GILMAN. Well, first allow the chair to recognize the gentleman from California, the ranking member of the committee, Mr. Berman.

Mr. BERMAN. Mr. Chairman, I think, by and large, I think the gentleman has done a very good job with the resolution and I want to support it. I have been handed a letter that I guess just came yesterday from the administration, indicating that this resolution generally reflects the priorities and goals that are shared by the administration.

I have a particular concern on this reprogramming language. I guess, is it appropriate to raise that issue now, or should the gentleman from Nebraska offer the amendment which we would be discussing first?

Chairman GILMAN. I would suggest you withhold until the gentleman offers his amendment. Does the gentleman conclude his remarks?

Mr. BERMAN. Yes.

Chairman GILMAN. Mr. Bereuter, for your amendment?

Mr. BEREUTER. Mr. Chairman, there are three amendments that are technical and conforming, to put it into the same context as this committee has previously passed and the House has passed, and to take into consideration the events that took place at Kuala Lumpur. I ask that these three technical and conforming amendments be considered en bloc.

I believe that they, themselves, are noncontroversial and that the controversy that the gentleman may have related to section 4 will be on the bill as a whole.

Chairman GILMAN. Without objection, the amendments will be considered en bloc.

Mr. BEREUTER. Mr. Chairman.

Chairman GILMAN. The chair now recognizes Mr. Bereuter on his amendments.

Mr. Hamilton.

Mr. BEREUTER. Mr. Chairman, I stand by to respond to my colleague from California if he wishes to engage in dialogue or use his own time.

Chairman GILMAN. Mr. Berman.

Mr. BERMAN. First, I defer to the ranking member of the committee.

Chairman GILMAN. Mr. Hamilton?

Mr. HAMILTON. Thank you very much, Mr. Chairman. I, of course, recognize the good intentions of the gentleman from Nebraska, but I do want to express some real concerns about the resolution. It is always a very easy thing to negotiate by yourself, and we can sit here in this room and come up with all kinds of conditions that we would like the North Koreans to comply with. All of these conditions would meet unanimous approval by everybody in this room.

The difficulty, of course, is that we are not dealing with the North Koreans in this resolution. We are expressing a sense of Congress. But, what concerns me here is that dealing with North Korea is not an easy job, and I think the net impact of this resolution is to make the President's job of dealing with North Korea much more difficult.

The reason is because the resolution adds new conditions which North Korea must meet before the United States can take further steps to upgrade our relationship with the North. Now, all of these conditions are conditions that everybody in this room can endorse. But, it is my understanding, at least, that the conditions go beyond those spelled out in the agreed framework. That is what makes it difficult for the administration.

The important thing is, it seems to me, that we have the best chance to rein in North Korea's nuclear weapons program under the provisions of the agreed framework, and it is working so far. We all know that it is a difficult framework to implement and to carry out. It has frozen the North's nuclear weapons program. That has been our primary objective. It has stopped the North from any further processing and production of plutonium. That has been a chief objective. It has forced the North to halt construction of two new nuclear facilities. It has established a mechanism whereby we can discover how much plutonium North Korea may have produced in the past, and it is providing for continuous, on the ground inspection by the IAEA. It establishes a framework by which all of North Korea's weapons facilities will be dismantled.

Now, nobody knows for sure whether all of that is going to come about, and we understand that the implementation of it is not going to be easy. Indeed, just the opposite, it is going to be difficult. But, if this framework is carried out, and so far, it has been carried out, then it meets our objectives.

I just want to remind my colleagues that before this framework was struck, we had a lot of people in this town, many of them not too far removed from this body, who were advocating bombing North Korea and were advocating sanctions. The two countries were headed toward a real crisis. That has been averted now through this framework.

I am not for a moment suggesting that the framework solves all our problems, but a lot has been accomplished. What concerns me about the resolution is that we are unilaterally adding additional imposed conditions on North Korea, and I think that lessens the prospects for the success of the agreement.

Mr. BEREUTER. Will the gentleman yield when he—

Mr. HAMILTON. I, of course, will be happy to yield. Now, the problem, of course, is that in pursuit of the ideal outcome, we could very well upset a good agreement that is working at this point.

Now, I fully understand that is not the intention of the gentleman from Nebraska. But, adding these prior conditions that must be met before we can move forward under the agreed framework is, I think, making more difficult the President's task.

I also appreciate that this is a sense of the Congress resolution, but if we pass a sense of the Congress resolution, we expect the President of the United States to pay some attention to it. If we

do not want him to pay attention to it, then we ought not to pass it. I will yield to the gentleman.

Mr. BEREUTER. I thank the gentleman for yielding. I am puzzled by the distinguished ranking member's comments, and I think that perhaps all that is needed is a clarification and a reminder of what Assistant Secretary Wendy Sherman has said about the issue.

The gentleman is recognized, but I would emphasize to my colleagues that the first three of the four sections of the bill are a sense of the Congress, and what the gentleman is referring to as conditions are found in section 3, which is a sense of the Congress. None of them are new conditions, if that is the right term. But, they are an expression of priorities that the Congress has, because we ought to be staking out a position of concerns and views of us.

But, Ms. Sherman, Secretary Sherman says the following in her letter of June 28 to me, and I will ask that this be made a part of the record.

[The letter of Ms. Sherman appears in the appendix.]

Mr. BEREUTER. "In section 3, all of the listed steps are issues on the administration's agenda, though we do not necessarily believe that progress on each and every issue must necessarily precede any upgrading of relations or further relaxations of trade and investment barriers." So, I would emphasize that one, they are a legitimate expression of concerns, and I would remind my colleagues and distinguished ranking member that many of my colleagues would indeed go further than these recommendations. These are based upon policies and goals of this administration, exclusively in section 3.

The objection that the Secretary expresses for the department are only restricted to section 4, and where we can expect to have a disagreement with the executive branch, because they, like any executive branch, do not want to come to us for waiver and reprogramming responsibilities, and that is exactly what the Congress should be protecting in prerogatives. I thank the gentleman for yielding.

Chairman GILMAN. The gentleman's time is expired, and without objection, we will make your letter part of the record. I ask the Clerk to read the amendment.

The CLERK. Amendment offered by Mr. Bereuter to the Preamble of H.J. Res. 83. In the first "whereas" clause strike "bunker" and insert in lieu thereof "heavy fuel".

Mr. BEREUTER. Mr. Chairman, I ask unanimous consent the amendment be considered as read.

[The amendment of Mr. Bereuter appears in the appendix.]

Chairman GILMAN. The amendment is considered as read.

Mr. Hamilton?

Mr. HAMILTON. Well, just in response to my friend, Mr. Bereuter, I think the sentence he quotes from the administration's letter, and I think we probably ought to have the administration step forward and say whatever it wants to with respect to the agreement, but it is a very artfully worded sentence, is it not? In section 3, all the listed steps are issues on the administration's agenda, it says. That is not in the agreed framework. It is the administration's agenda.

Of course these conditions are on the administration's agenda. They are on my agenda. They are on the agenda of every person

in this room. We would like to see them all in the agreed framework, but insisting that these precede any upgrading of relations, that is the key point. You are insisting in the sense of Congress resolution that these conditions precede the upgrading of a relationship, and thereby, you are going outside the agreed framework.

Now, that is the problem with this sense of Congress resolution.

Mr. BEREUTER. Would the gentleman yield?

Mr. HAMILTON. It is a sense of Congress, you are quite right, it is not a condition. But, we are telling the President of the United States what we want. I am saying that the President of the United States has negotiated a pretty darn good agreed framework that is working very much in the American national interest and we ought to let him continue to do it without putting a lot of—I was going to say preconditions. I think that is not a correct statement, you are right about that. But, proposals that certainly alter the agenda of the agreed framework.

Let me hear from the Assistant Secretary, if I may?

Chairman GILMAN. Secretary Sherman?

Ms. SHERMAN. Assistant Secretary Wendy Sherman from the State Department. Mr. Bereuter is correct in that we do share many of the same goals as his legislation.

But, Congressman Hamilton is also correct that we have two fundamental concerns about the resolution. Although as you correctly state, Mr. Bereuter, it is a sense of the Congress in terms of section 3, it nonetheless sets out a statement that we would fundamentally disagree with, and that is that all of these items should be dealt with at once and before there is any upgrading in the relationship or any change in trade and investment policy.

Although these are all, as you correctly stated, as my letter states, on our agenda, it is, we believe, virtually unlikely that any administration will be able to get all of these done all at once, prior to taking steps.

Even as a sense of the Congress, it is, in essence, sending a signal to all the parties of the framework agreement that the ground is shifting on that agreement, which we think is quite dangerous in terms of the framework agreement as set forth.

The second fundamental concern, which is not just a matter of jurisdiction, the State Department probably more than our colleagues at DOE and DOD, like it when the jurisdiction is in this committee, because we have come to know and work with you all, and generally, as you have tried very hard to come to an agreement on something that we can all support and work on together.

So, we are all for oversight from this committee and we are all for the jurisdiction of this committee. What our concern is is that by bringing everything to this committee, even if it is in other committees, will encourage those other committees to also seek jurisdiction, which will create a nightmare of time.

Every time a reprogramming or a notification has to take place, to go through extra steps that do not currently exist before the administration can take steps in implementing the framework agreement, and that that will be onerous and put the underlying framework agreement at risk.

So, it is not jurisdiction that we have concerns over, or oversight. We support both those and support this committee having them.

Mr. BEREUTER. Will the gentleman from Indiana yield?

Mr. HAMILTON. Sure.

Mr. BEREUTER. I thank the gentleman for yielding. I could have drafted section 3 so that they are preconditions, so that it is not a sense of the Congress, but we wanted to have an expression of the interest and concerns of Congress that are shared by a great many, and I think a majority of Members of Congress. So, it is not right, of course, to call them preconditions.

I think, and we were told and reinforced from high level officials in the State Department, that what we were doing was complimentary and strengthening negotiation stance of the administration. One of the concerns that is out there in the American public, in Congress and especially in South Korea, is that the total focus is on the framework, and that in the process, we may be neglecting the North-South dialogue between South Korea and North Korea, of course.

You will find, of course, that that is one of the not preconditions, but one of the items that is there. It is outside the framework. It is intentionally brought in to assure the South Koreans and to assure ourselves that we are not going to be doing something that undercuts our long term policy goal of trying to upgrade the negotiations and contact between the two Koreas on the peninsula. I thank the gentleman for yielding.

Chairman GILMAN. I want to commend the distinguished chairman of our subcommittee, Mr. Bereuter, for bringing the resolution before us. I think your resolution serves several useful purposes. First, it articulates our views of October 21, 1994, the agreed framework between our Nation and North Korea, under which North Korea is to suspend and then dismantle its nuclear program, in exchange for deliveries of every fuel oil and the construction in North Korea of two 1,000-megawatt light water nuclear reactors.

The resolution does not criticize or reject the agreed framework, but does sound several cautionary notes about implementation of the agreement.

The second purpose of the resolution is to protect the jurisdiction of this committee with regard to the provisions of U.S. assistance to North Korea and to the Korean Peninsula Energy Development Organization. That is necessary because the administration has already on two occasions sought to deliver assistance to North Korea from funds outside our jurisdiction. In one case, from Defense Department funds and in the other, from Energy Department funds.

The practical effect of section 4 of the resolution is to reassert the jurisdiction of our committee over the use of non-150 funds to provide assistance to North Korea by requiring that the administration notify us of any proposed use of such funds pursuant to our reprogramming procedures and to satisfy requirements equivalent to those that apply to the use of 150 funds for that purpose.

Therefore, H.J. Res. 83 makes an important contribution to our ability to oversee implementation of the agreed framework, and I urge its adoption.

I would be pleased to yield to Mr. Kim.

Mr. KIM. Mr. Chairman, thank you for yielding. Mr. Chairman, as you know, as a member of the Asia-Pacific Subcommittee and

as the only Korean-American in Congress, I am proud to be a co-sponsor of this resolution and strongly endorse its enactment.

I do have a written statement, and in the interest of time, I would like to ask unanimous consent that my written statement appear in the official record.

[The statement of Mr. Kim appears in the appendix.]

Chairman GILMAN. Without objection.

Mr. KIM. Thank you, Mr. Chairman.

Mr. BERMAN. Mr. Chairman?

Chairman GILMAN. Mr. Berman?

Mr. BERMAN. Mr. Chairman, I move to—

Chairman GILMAN. The gentleman is recognized for 5 minutes.

Mr. BERMAN. I thank you, Mr. Chairman. One moment on section 3. I think the ranking member raises an important issue here.

As the chairman of the subcommittee has indicated, these are not preconditions. These are sort of "should nots". This says, we should not take certain steps until these things happen.

Everything that he expresses in there, I not only agree with, I think it is critically important to the whole future of security and stabilization in Northeast Asia. More than Northeast Asia, when you get into the proliferation problems we have had with North Korea.

The question I have, the concern I have is, and I ask this of the chairman and of the State Department, is there something promised, specified, in this agreed framework, to happen on August 14, which may be before there is progress in reducing the number of military forces of North Korea? Is there something very specific? I know this whole thing is a very gradual kind of—this is not tomorrow we are recognizing and establishing diplomatic relations and then removing all trade embargoes.

Is there some provision of crude oil or of 200 barrels or something like that that is going to happen and is supposed to happen under the agreed framework? Remember all the things that Mr. Hamilton mentioned that we have now frozen in their nuclear program. We are inspecting it, all the benefits. Is there something minor that is supposed to happen, that Chairman Bereuter's "should nots" somehow could be viewed as a repudiation of the agreed framework?

Generally, I would like to support this resolution. I think Chairman Bereuter has tried to do a good job of establishing a congressional parameter and raising the key issues in the relationship. I just do not want this to be viewed as an undermining, a repudiation of the framework agreement.

Ms. SHERMAN. If I may, Mr. Chairman and Mr. Berman, I would like to ask Gary Samore, who is the Deputy to Ambassador-At-Large Gallucci who is the principal negotiator, to answer Mr. Berman's question.

Chairman GILMAN. Would you please identify yourself?

Mr. SAMORE. Yes, I am Gary Samore, Department of State. To answer Congressman Berman's question, the agreed framework calls upon the United States and the DPRK to establish liaison offices in each others' capitals, once technical and consular issues have been resolved.

We have been working with the North Koreans since October of last year to resolve those issues. I cannot predict for you when that will happen, but my estimation is that it could very well happen in the coming months.

As I read the resolution, it would call upon the President not to take the step of opening liaison offices until we have accomplished all of the very worthy objectives that this resolution calls for, and I have to say—

Mr. BERMAN. Let me just interrupt here. One point. I understand that Mr. Bereuter, in his en bloc amendments, has excluded the issue of the establishment of liaison offices from the "should nots".

Mr. BEREUTER. If the gentleman will yield, that is correct and that was because of reactions from the State Department, we were trying to accommodate.

Mr. SAMORE. The second point I would make is that the agreed framework calls for—

Mr. BEREUTER. Let us establish that the first point is no longer a point.

Mr. SAMORE. Liaison is not concluded, is that correct? OK. The agreed framework also calls upon the United States and the DPRK to take steps toward establishing full diplomatic relations through exchange of Ambassadors, once other issues are resolved. We very deliberately in the agreed framework left that a bit imprecise. Clearly, we want to work on the issues that are listed here in the resolution. I think that to specify them this way and to make them cumulative probably does go beyond, does remove some of the flexibility that the administration needs in order to address some of these issues.

Mr. HAMILTON. Would the gentleman yield?

Mr. BERMAN. I would be happy to.

Mr. HAMILTON. Did I understand you have been involved in the negotiations?

Mr. SAMORE. Yes, sir. In fact, I led the U.S. negotiating teams in the talks we have had with North Korea in Berlin on the light water reactor issue.

Mr. HAMILTON. Let us suppose that this resolution contained your negotiating instructions. What then would happen to the negotiations?

Mr. SAMORE. I think that one of the most important tools we have with the North Koreans is improving economic and political relations with them. That is one of the things they want. It is one of the things that we should be prepared to offer in exchange for better behavior on their part. While I think some of the objectives and goals listed here on the resolution are ones we would certainly want to pursue and try to achieve in exchange for better economic and political relations on our part, to ask for all of them, I think, is unreasonable as a negotiating position.

For example, I mentioned a particular, number two, implementation of the North-South Joint Declaration. Full implementation of that agreement is going to be very arduous.

Mr. BEREUTER. Would the gentleman yield?

Mr. HAMILTON. Let me just interject. If I understand you correctly, if this sense of Congress resolution became your negotiating instructions, it would foul up the negotiations?

Mr. SAMORE. Well, I—yes, sir, I certainly could not get all of these things before any improvement—

Mr. HAMILTON. Therefore, we would lose all of the advantages of the agreed framework?

Mr. SAMORE. Well, it would be a risk. I mean, we would still have, we would still argue to the North Koreans that they should keep the freeze on their program in place as the light water reactor project proceeds, but you would be depriving the administration of an additional tool, which is the offset of better political and economic relations.

Mr. BERMAN. Mr. Chairman, I ask unanimous consent to have 3 additional minutes?

Chairman GILMAN. Without objection.

Mr. BEREUTER. Would the gentleman yield to me?

Mr. BERMAN. I will yield in just one second. I just want to point out that, in response to the gentleman's point on the implementation of the North-South Joint Declaration, another one of the chairman's en bloc amendments indicates significant progress toward implementation of the North-South Joint Declaration.

The chairman has tried, I think, in some of these areas to be flexible. These are not negotiating instructions. These are congressional desires. There are times when I would argue that sometimes Congress laying it out gives an administration a little bit of ammunition in the negotiating process to talk about some of the things that a different branch of government is saying, we think you should be pursuing.

Did you want to comment on this?

Ms. SHERMAN. If I may, Mr. Berman, Mr. Chairman. Wendy Sherman, from the State Department. I certainly understand when expressions of the U.S. Congress provide useful leverage for any administration, and there are many times we have come up here and encouraged the Congress to, in fact, be in some ways, do a bad cop, good cop routine in order to create that kind of leverage.

I think in this case, the risk that is run, which the negotiator tried to describe somewhat is that by laying this out in specific language, one is beginning to rewrite the framework agreement. There is a framework agreement that is set out with the North Koreans. Although these are not statutory, these are sense of the Congress, they, in essence, can be read by our colleagues in the framework agreement as, indeed, preconditions, and in essence, will undermine some of the trust that is there to say what needs to take place before the next step.

You lose your leverage and your negotiating room and your flexibility, because you have in essence said, here are all of the steps. So, I do think it borders on—I mean, one never knows how these things are going to play out, but it does border on risking looking as if we are rewriting the framework agreement. It is not that we do not share this agenda.

Mr. Bereuter. Will the gentleman yield now?

Mr. BERMAN. I had asked for 3 additional minutes.

Chairman GILMAN. Let me remind our colleagues we have two other additional measures. I do not want to keep you too late tonight, but we have to wind these up tonight, so please, let us be brief.

Mr. BERMAN. I am not trying to stall or anything like this. I do want to have a little time to get into the issue that originally was the only one I wanted to seek recognition on, which is section 4.

First, I will yield to the chairman of the subcommittee.

Chairman GILMAN. Without objection. The gentleman is recognized for 2 additional minutes.

Mr. BEREUTER. I thank Mr. Berman for yielding and was very good about making the points and trying to make the reminder and to all my colleagues and to the State Department that in the two instances we have gone over already where you have some concerns, we have modified the language. The view is not implementation. It is significant progress toward implementation. Wait a minute, reality check. We just passed this legislation in the House as a part of the Overseas National Interest Act.

I would think the administration would prefer this version where we are making some changes after getting further reactions from the State Department. You have something out there standing, which is a policy of the House of Representatives, at least at this point, and that, if anything, is going to have an impact on current negotiations. It might be what we have already passed. You ought to prefer us refining it with these two amendments, for example, to these not preconditions in section 3.

I thank the gentleman for yielding. I do not think we need to explore it too much further, but I wanted you to know that I have accommodated, and remind my colleagues and the State Department, we have already passed this language without modification. Now we need to modify it. Thank you.

Mr. BERMAN. If I may just reclaim my time, on section 4, I am told by the State Department, by Deputy Assistant Secretary Hubbard that his lawyers say that the en bloc amendment which you offered on section 4 would require a classic reprogramming, notification and approval of monies already appropriated for the very specific purposes that they seek to obligate. I think that would be wrong.

That is like all of a sudden the House is about to vote final passage on the bill that is appropriating, I think, \$13 million for very specific purposes. I do not think—that is not DOE money, right? That is just straight 150 function money. I do not think you should require a reprogramming notification for something that is appropriated for that specific purpose.

Mr. BEREUTER. Mr. Berman?

Mr. BERMAN. I have no objection to reprogramming DOE monies or anything else going through the reprogramming notification.

Mr. BEREUTER. Mr. Berman?

Mr. BERMAN. Can we get a clarification of that?

Mr. BEREUTER. Mr. Berman, we are told and it is my understanding and it is my intention that what we are adding with respect to 150 money is no more than the requirements that exist for the appropriation bill that the Congress is about to pass. It does put additional conditions on, for non-150 money. There is no doubt about that, and that is intentional, so we are written into the process for DOD and DOE.

But, we are adding nothing, it is our understanding, based upon legal advice, that does not exist in the normal requirements leveled

upon the executive branch by the passage of the appropriations bill when it comes to 150 accounts.

Mr. BERMAN. If this is accurate, could the committee report, is there a committee report on these resolutions?

Mr. BEREUTER. I would be happy to agree to that.

Mr. BERMAN. I would like the committee report to reflect, as I understand it, the fact that the appropriations bill appropriates \$13 million for KEDO, for some of these other purposes. That is in the bill. That will pass the House.

If that should become law, then that money will not require the subsequent approval of chairman of the authorizing committees in the House and the Senate and the ranking members in the traditional reprogramming fashion, when you are taking money from a different account.

Mr. BEREUTER. Mr. Berman?

Mr. BERMAN. You should not have to get approval after the appropriation is made.

Mr. BEREUTER. Mr. Berman, I would stipulate that that is the intent and report that we will not provide additional requirements over and above what would be a part of the normal appropriation process of 150. That is slightly different than what you said, but I think that is agreeable.

We are not wanting to carve out an exception here. I am asking for no more than a normal appropriations process with 150 accounts.

Chairman GILMAN. I would like to call on our counsel, who has some comments.

Mr. Rademaker.

Mr. RADEMAKER. Yes, Mr. Chairman. I am Steve Rademaker, chief counsel to the committee. In a sense, you are both right about what this provision does.

Mr. Berman, you are correct that it would apply—in a technical sense—it would apply the reprogramming procedures to any money that would go to KEDO or to North Korea.

But, Mr. Bereuter is right that, as a practical matter, we are not adding any new requirements, because even under the Foreign Operations provision, which states that the first \$13 million of the administration's \$22 million request can be provided, and any money in excess of that that might be provided subject to reprogramming procedures. Notwithstanding that, the Foreign Operations Bill goes on to say that there is no waiver of the other statutory prohibitions that exist in current law on the delivery of assistance to North Korea or to KEDO.

So, in other words, in order to deliver even the first \$13 million under the Foreign Operations Bill, it will be necessary for the administration to exercise a waiver of these various prohibitions. There are 8 or 10 of them. They would have to be waived by the President, pursuant to section 614 of the Foreign Assistance Act, which requires prior consultation with this committee. And in terms of the common practice over the years, 614 waivers are effectively subject to a committee hold.

So, in terms of the practical impact of the provision, the distinction between a reprogramming procedure which is subject to hold

and a 614 waiver which is subject to hold is, in large measure, a distinction without a difference.

Mr. BERMAN. Mr. Chairman, the part of the appropriations bill that I have in front of me makes no such provisions. I think I would like to ask, Mr. Chairman, as this is a technical question, that we be given a chance before we pass this bill out. This is not sense of Congress. This is new law if it is enacted, and I would like a chance to just deal with the State Department and Mr. Rademaker on this issue before we go to a final vote. Perhaps we could start the other markup or whatever, and just have a chance for some conversations about this. This is an important issue.

Chairman GILMAN. Mr. Bereuter?

Mr. BEREUTER. Mr. Chairman, I am reluctant to do that, because I do not think there is a problem and I would like to move the legislation. I would like to have the en bloc amendments adopted, and I would like to move to passage of the bill.

Chairman GILMAN. All right, is there any further debate on the measure?

Mr. HAMILTON. Mr. Chairman?

Chairman GILMAN. Yes, Mr. Hamilton?

Mr. HAMILTON. I know you want to move the resolution, and I will try to be cooperative. I want to say a couple of things. First, I have no doubt at all that Chairman Bereuter has been constructive in his approach to this. I have never doubted that. That is perfectly in character, and I know that he has tried to make accommodations that would make this acceptable, and he should be commended for that.

Secondly, the key question here really is what is the impact of this resolution, not on us, not on the U.S. Congress. That is pretty easy. The key question is, what is going to be the impact if you pass the resolution on the agreed framework?

You have an agreed framework that is working. It is serving the American national interest. It needs to be implemented. It is going to have to be implemented over a period of 10 years, probably, but so far, so good. South Korea is fully on board. They are very supportive of it.

The question that hangs with me is why into this process that is going well and is protecting the American national interest do you put a resolution which, as the Assistant Secretary says, begins to rewrite the framework agreement? I just think that is an unnecessary risk, and I do not see why we should take it.

Chairman GILMAN. Thank you, Mr. Hamilton. The question is now on the amendment. As many as are in favor, say aye.

[Chorus of ayes.]

Chairman GILMAN. As many as are opposed, say no.

[Silence.]

Chairman GILMAN. The ayes appear to have it, and the amendment is agreed to.

Are there any further amendments? Mr. Berman?

Mr. BERMAN. Move to strike the last word. There is an important issue here.

Chairman GILMAN. Mr. Berman is recognized for 5 minutes.

Mr. BERMAN. Counsel to the committee has indicated very clearly that States' reading of this provision is accurate, and that what is

coming in one hand, either because of something in the appropriations bill that I do not know about, or because of this provision, is in a sense being restricted with the other hand.

I am going to voice vote no on this bill at this time. I urge us to delay bringing this to the floor if it should pass until we settle that issue.

Chairman GILMAN. Are there any further amendments? If not, the chair recognizes Mr. Bereuter to offer a motion.

Mr. BEREUTER. Mr. Chairman, I move that the committee order the resolution H.J. Res. 83 report of the House with the recommendation that the joint resolution as amended do pass, that the chairman take any and all steps necessary to bring the resolution before the House, and that if the chairman, after consultation with the ranking Democratic member determines that it is appropriate to file a report, the chairman shall provide each member of the committee at least 3 days advance written notice of the earliest date on which he intends to file a report, so that members may file additional minority or dissenting views.

Chairman GILMAN. Question is on the motion. As many as in favor, say aye.

[Chorus of ayes.]

Chairman GILMAN. As many as opposed, say no.

[Chorus of noes.]

Chairman GILMAN. The ayes appear to have it. The ayes have it, and the motion is agreed to.

Mr. HAMILTON. Mr. Chairman, may we have a roll call vote, please?

Chairman GILMAN. A rollcall has been requested. As many as in favor of rollcall, indicate with show of hands.

[Show of hands.]

Chairman GILMAN. A sufficient number. The clerk will call the role.

The CLERK. Mr. Gilman.

Mr. GILMAN. Aye.

The CLERK. Mr. Gilman votes yes. Mr. Goodling.

[No response.]

The CLERK. Mr. Leach.

[No response.]

The CLERK. Mr. Roth.

Mr. ROTH. Aye.

The CLERK. Mr. Roth votes yes. Mr. Hyde.

Mr. HYDE. Aye.

The CLERK. Mr. Hyde votes yes. Mr. Bereuter.

Mr. BEREUTER. Aye.

The CLERK. Mr. Bereuter votes yes. Mr. Smith.

Mr. SMITH. Aye.

The CLERK. Mr. Smith votes yes. Mr. Burton.

Mr. BURTON. Aye.

The CLERK. Mr. Burton votes yes. Mrs. Meyers.

Mrs. MEYERS. Aye.

The CLERK. Mrs. Meyers votes yes. Mr. Gallegly.

Mr. GALLEGLY. Aye.

The CLERK. Mr. Gallegly votes yes. Ms. Ros-Lehtinen.

Ms. ROS-LEHTINEN. Aye.

The CLERK. Ms. Ros-Lehtinen votes yes. Mr. Ballenger.
 Mr. BALLENGER. Aye.
 The CLERK. Mr. Ballenger votes yes. Mr. Rohrbacher.
 Mr. ROHRBACHER. Aye.
 The CLERK. Mr. Rohrbacher votes yes. Mr. Manzullo.
 Mr. MANZULLO. Aye.
 The CLERK. Mr. Manzullo votes yes. Mr. Royce.
 Mr. ROYCE. Aye.
 The CLERK. Mr. Royce votes yes. Mr. King.
 [No response.]
 The CLERK. Mr. Kim.
 Mr. KIM. Aye.
 The CLERK. Mr. Kim votes yes. Mr. Brownback.
 Mr. BROWNBACK. Aye.
 The CLERK. Mr. Brownback votes yes. Mr. Funderburk.
 Mr. FUNDERBURK. Aye.
 The CLERK. Mr. Funderburk votes yes. Mr. Chabot.
 Mr. CHABOT. Aye.
 The CLERK. Mr. Chabot votes yes. Mr. Sanford.
 Mr. SANFORD. Aye.
 The CLERK. Mr. Sanford votes yes. Mr. Salmon.
 Mr. SALMON. Aye.
 The CLERK. Mr. Salmon votes yes. Mr. Houghton.
 Mr. HOUGHTON. Aye.
 The CLERK. Mr. Houghton votes yes. Mr. Hamilton.
 Mr. HAMILTON. No.
 The CLERK. Mr. Hamilton votes no. Mr. Gejdenson.
 [No response.]
 The CLERK. Mr. Lantos.
 [No response.]
 The CLERK. Mr. Torricelli.
 Mr. TORRICELLI. No.
 The CLERK. Mr. Torricelli votes no. Mr. Berman.
 Mr. BERMAN. No.
 The CLERK. Mr. Berman votes no. Mr. Ackerman.
 [No response.]
 The CLERK. Mr. Johnston.
 Mr. JOHNSTON. No.
 The CLERK. Mr. Johnston votes no. Mr. Engel.
 Mr. ENGEL. No.
 The CLERK. Mr. Engel votes no. Mr. Faleomavaega.
 [No response.]
 The CLERK. Mr. Martinez.
 Mr. MARTINEZ. Aye.
 The CLERK. Mr. Martinez votes yes. Mr. Payne.
 Mr. PAYNE. No.
 The CLERK. Mr. Payne votes no. Mr. Andrews.
 Mr. ANDREWS. No.
 The CLERK. Mr. Andrews votes no. Mr. Menendez.
 Mr. MENENDEZ. No.
 The CLERK. Mr. Menendez votes no. Mr. Brown.
 Mr. BROWN. No.
 The CLERK. Mr. Brown votes no. Ms. McKinney.
 [No response.]

The CLERK. Mr. Hastings.

Mr. HASTINGS. No.

The CLERK. Mr. Hastings votes no. Mr. Wynn.

Mr. WYNN. No.

The CLERK. Mr. Wynn votes no. Mr. McNulty.

Mr. McNULTY. Aye.

The CLERK. Mr. McNulty votes yes. Mr. Moran.

Mr. MORAN. No.

The CLERK. Mr. Moran votes no. Mr. Frazer.

Mr. FRAZER. No.

The CLERK. Mr. Frazer votes no. Mr. Goodling is not recorded.

Mr. GOODLING. Yes.

The CLERK. Mr. Goodling votes yes.

Chairman GILMAN. The clerk will call the absentees.

The CLERK. Mr. Leach? Mr. King? Mr. Gejdenson? Mr. Lantos?
Mr. Ackerman? Mr. Faleomavaega? Ms. McKinney?

Chairman GILMAN. The clerk will report the roll.

The CLERK. Mr. Martinez is recorded as yes.

Chairman GILMAN. Without objection. The clerk will report the roll.

The CLERK. On this vote, there were 22 ayes and 14 noes.

Chairman GILMAN. The motion is agreed to without objection. Chief of staff is authorized to make technical, conforming and grammatical changes to the resolution just considered.

We will recess for the vote, and I urge our members to come back as quickly as they can. We have two other measures pending before the committee.

[Recess.]

Chairman GILMAN. The committee will come to order. I recognize Mr. Burton.

Mr. BURTON. Mr. Chairman, as you know, this has been a very busy past 48 hours? As a result, everything is kind of compressed. We have a Republican conference at 4 p.m. on a very important issue and I know many of our members will probably be there, so I would like to request of the chair that we consider taking up the Burton-Helms Bill tomorrow morning at 11 a.m. after the chairman and leadership meeting.

Chairman GILMAN. Is there any objection? Pursuant to the request by Mr. Burton and subject to approval by the minority, we will postpone the Cuban issue until 11 a.m. tomorrow morning.

In the meantime, let me call on Mr. Smith on the third resolution. Mr. Smith?

Mr. SMITH. I want to thank my good friend for yielding and I would ask that the resolution be considered by the committee.

Chairman GILMAN. If the gentleman will withhold, the committee will come to order if the people exiting would please do it quietly.

Our final agenda today relates to the shocking treatment by the Chinese authorities of Harry Wu, an American citizen who returned to his homeland of China and was arrested last week. The chair lays before the committee a draft resolution. The resolution, if approved today, will be introduced after our consideration of it in draft form.

If this resolution is approved, it is the intent of the chair to have the committee discharged from consideration and to have it handled on the floor. The chair recognizes Mr. Smith.

Mr. SMITH. Thank you very much, Mr. Chairman. This resolution, Mr. Chairman, really ought to be considered not only by this committee, but by the full House as quickly as possible.

Chairman GILMAN. If Mr. Smith will withhold, the clerk will read the resolution.

The CLERK. H. Res. 178 calling upon the People's Republic of China—

Mr. SMITH. I ask unanimous consent that the resolution be considered as read.

Chairman GILMAN. Without objection, the resolution is considered as read.

[The resolution appears in the appendix.]

Mr. SMITH. Mr. Chairman, this resolution states the clear, nonambiguous belief by the House that we believe that everything that can be done, should be done to expedite the release of Harry Wu, a U.S. citizen, who was illegally and unjustly incarcerated by the People's Republic of China. He had a valid U.S. passport, a visa, and regrettably, perhaps because of his human rights advocacy, he was apprehended by the Chinese officials and still to this date is being held against his will.

Harry Wu is a man who is very well known to members of this committee. On April 3, we convened a subcommittee hearing on the Laogai system, and I think as members know, the Laogai is a terrible system of Chinese gulags in excess of 1,000 that dot the People's Republic of China. Harry Wu spent 19 years in that terribly repressive system, a political prisoner, suffered greatly. At our hearing in early April, he and six other survivors spoke eloquently and with great sadness and sorrow about the mistreatment that they endured at the hands of the Chinese Government.

Harry Wu repeatedly has gone back to China to tell the truth about the People's Republic of China and their terrible practices of abusing political prisoners and the use of the Laogai to incarcerate people and to use them for the production of goods and services, and many of those are exported.

I am very happy to say that I think we are working in tandem with the administration on this. I would ask Assistant Secretary Sherman if she might comment on this legislation, so that we could speak with one voice, asking for the immediate release of Harry Wu, again, a champion of human rights.

Chairman GILMAN. Before the secretary responds, without objection, preamble and the text of the draft resolution is considered as having been read and open to amendment at any point.

Ms. SHERMAN. Wendy Sherman, Assistant Secretary of State. The department fully supports Mr. Smith's resolution. Mr. Wu is a longtime champion and advocate of human rights in China. He is also a U.S. citizen. We have very strong concerns about his detention, particularly when the Chinese authorities have given us no reasons to justify it.

Mr. Wu entered China on a U.S. passport and we understand he had a valid Chinese visa in the name of Peter H. Wu, so China's obligations are quite and absolutely clear. Our consular agreement

calls for access to a detained American citizen no later than 48 hours after request. We requested such access on June 26, the first day possible after we were informed of his detention on June 23. Despite repeated requests, we have not been given access. We have not been told where Mr. Wu is now. We have not been advised of any charges to justify holding him. This is not acceptable.

We make every effort to fulfill our consular obligations to the Chinese, and we expect them to fulfill their obligations to us. Normally, we prefer to work through consular channels, however, we agree with the resolution as Congressman Smith has drafted it, that in this case, diplomatic channels should be used, as well.

Assistant Secretary for East Asian and Pacific Affairs, Winston Lord, met with the Chinese Charge June 28 to press the Chinese at a senior level for immediate access and Mr. Wu's release. Our Charge in Beijing is meeting again with senior Chinese officials today.

We have sent a Chinese speaking American consul to the provincial capital, where we believe Mr. Wu is being held, so that we will be able to visit him immediately, as soon as the Chinese authorities agree. We thank the gentleman for offering the resolution. We fully support it, and we agree that access should be given and Mr. Wu should be released. No charges have been brought and this kind of behavior is unacceptable.

Chairman GILMAN. I thank Secretary Sherman for her comments, and I want to commend the chairman of the Subcommittee on International Operations and Human Rights, Mr. Smith, for crafting the resolution before us. I want to thank the Subcommittee on Asia and the Pacific chairman, Mr. Bereuter, for coordinating his efforts with Mr. Smith to bring it before the full committee so rapidly.

It is an outrage that an American citizen is being held by the Government of the People's Republic of China while our Government representatives here have not been given any access to him or told where he is or what charges are being contemplated. Such action only indicates that the government in Beijing will disregard conventions and agreements whenever it suits them. A government that will sell restricted weapon technology to Iran will certainly not have a problem with breaking more mundane but not less important consular agreements. I fully support the resolution.

I understand that the minority has no objections and supports the resolution, and I urge my colleagues to vote for the resolution. Is there any further discussion?

Mr. BURTON. Mr. Chairman, real briefly—

Chairman GILMAN. Mr. Burton.

Mr. BURTON. I think this resolution should pass, and I think it will be unanimous. In addition to that, I think there ought to be some really strong positions taken by our Government towards the Government of China.

They listen to us, they wink at us, they wait us out; yet, nothing ever happens and nothing changes. There ought to be some strong messages coming from the State Department to China, saying demonstrating to the Chinese government risks MFN and other things of great importance to China, if it continues to head along this line.

With that, Mr. Chairman, I yield back the balance of my time.

Chairman GILMAN. We thank the gentleman for his comments. Is there any further discussion? Are there any amendments? If not, the chair recognizes the gentleman from New Jersey, Mr. Smith?

Mr. SMITH. Mr. Chairman, I would hope that it would go under unanimous consent procedures, and I move as follows, that the committee approve the draft House resolution considered today, the Chairman be requested to obtain expeditious consideration of the draft House resolution in the House.

Chairman GILMAN. The question is now on the motion. As many in favor, say aye.

[Chorus of ayes.]

Chairman GILMAN. As many opposed, say no.

[Silence.]

Chairman GILMAN. The ayes appear to have it. The ayes have it, and the motion is agreed to. The chief of staff is authorized to make technical conforming grammatical amendments to the bill just considered, and without objection, the motion to consider each of the actions of the committee of this meeting is considered to have been laid on the table.

The chair thanks the members for their cooperation. The committee stands adjourned.

[Whereupon, at 3:43 p.m., the committee was adjourned until Wednesday, July 19, 1995.]

**MARKUP OF H. CON. RES. 42, SUPPORTING A
RESOLUTION TO THE LONG-STANDING DIS-
PUTE REGARDING CYPRUS; AND H. RES.
158, CONGRATULATING THE PEOPLE OF
MONGOLIA ON THE 5TH ANNIVERSARY OF
THE FIRST DEMOCRATIC MULTIPARTY
ELECTIONS HELD IN MONGOLIA ON JULY
19, 1990**

WEDNESDAY, JULY 19, 1995

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The committee met, pursuant to notice, at 10:05 a.m., in room 2172, Rayburn House Office Building, Washington, D.C., Hon. Benjamin A. Gilman (chairman) presiding.

Chairman GILMAN. The committee will come to order. Members will please take their seats.

The Committee on International Relations meets today in open session for the purpose of receiving testimony on the situation in Cyprus and also pursuant to notice for the purpose of giving full committee consideration to two resolutions, one on Cyprus and one related to Mongolia. The Mongolia resolution in particular is time sensitive. We have been asked to move it today in advance of the markup of miscellaneous legislation now tentatively scheduled for next week.

We will now turn to H. Res. 158 relating to the anniversary of multiparty elections in Mongolia. H. Res. 158 was introduced by Mr. Bereuter. It was marked up by the Subcommittee on Asia and the Pacific last week when it was forwarded to the full committee with an amendment in the nature of a substitute and with the recommendation that the resolution as amended be reported to the full House.

The clerk will report the title of the resolution.

The CLERK. H. Res. 158. Congratulating the people of Mongolia on the 5th anniversary of the first democratic multiparty elections held in Mongolia on July 29, 1990.

Chairman GILMAN. Without objection both the resolution and its preamble are considered as having been read and are open to amendment at any point. [H. Res. 158 appears in the appendix.]

I recognize the gentleman from Nebraska, Mr. Bereuter, in support of his amendment.

Mr. BEREUTER. Thank you very much, Mr. Chairman. And thank you for your cooperation in helping us move this legislation today which is time sensitive because of the upcoming anniversary.

Chairman GILMAN. If I might interrupt the gentleman.

Mr. BEREUTER. Yes.

Chairman GILMAN. Would you please offer the amendment for consideration?

Mr. BEREUTER. Mr. Chairman, I offer an amendment in the nature of a substitute consisting of the language of the resolution as approved by the Subcommittee on Asia and the Pacific.

Chairman GILMAN. The Clerk will report the amendment.

The CLERK. Amendment offered by Mr. Bereuter. Whereas in 1990 Mongolia ended nearly 7 decades of Soviet domination and single party Communist rule; whereas the 1992 Mongolian constitution established Mongolia as an independent and sovereign republic—

Mr. BEREUTER. Mr. Chairman, I ask unanimous consent that the substitute be considered as read.

Chairman GILMAN. Without objection amendment in the nature of a substitute is considered as read. The gentleman from Nebraska is recognized to present his resolution and the amendment.

[The amendment of Mr. Bereuter appears in the appendix.]

Mr. BEREUTER. Thank you very much.

The resolution before us today has one simple objective: to commend the people of Mongolia for the remarkable progress that the country has made since 1990. Mongolia has made great strides from a one party Soviet dominated Communist country to an independent multiparty free market democracy.

Within a year from the fall of the Berlin Wall, the popularly elected Mongolian legislature whose election we are commemorating in this resolution enacted a new constitution which declared Mongolia as an independent sovereign republic with guaranteed civil rights and freedoms. These changes were not only dramatic in scope and speed, they were also accomplished without firing a shot and with little concrete support from the outside.

These accomplishments are worthy of congressional commendation. That is why we are pursuing the resolution. The political changes of 1990–1991 also mark the beginning of Mongolia's efforts to develop a market economy. Mongolia continues to press ahead with economic reform including privatization of the economy, price deregulation and the establishment of a single exchange rate. Much needs to be done to accomplish these reforms. The best hope for accelerated growth in Mongolia is to attract foreign investment, further liberalize the economy and expand trade with nontraditional partners.

The United States has sought in modest ways to assist Mongolia's movement toward democracy and a market-oriented reform. We accorded Mongolia Most-Favored-Nation trade status. We have concluded a bilateral tax treaty and overseas private investment corporation agreement. We have supported Mongolia's entry into the IMF, the World Bank and the Asian Development Bank. We provided \$35 million in assistance largely in the area of technical assistance and training.

In short, Mongolia represents a good example of universality of civil and political rights and provides evidence that political freedom and economic development are not mutually exclusive.

Mr. Chairman and my colleagues, I urge support of the resolution in its substitute form and since Mr. Kim is on the floor at this time and could not be here to speak in behalf of his one amendment related to religious freedom which the committee gladly incorporated, I ask unanimous consent that his statement be made a part of the record.

Chairman GILMAN. Without objection.

[The statement of Mr. Kim appears in the appendix.]

Mr. BEREUTER. Thank you, Mr. Chairman. I yield back the balance of my time.

Chairman GILMAN. I want to thank the chairman, the ranking minority member of the Asia and Pacific Subcommittee for crafting H. Con. Res. 158, a resolution commending the Mongolian Government and its people for the advances made in democracy and developing a market economy. Like most of the former Soviet bloc countries that have experienced dramatic transition, Mongolia has apparently weathered the worst of it.

The political situation has stabilized more rapidly than most observers would have believed possible. Opposition parties are quite strong and learning all the time. The ruling party which is a former Communist Party has shown flexibility and a willingness to adapt to the dramatic changes and the expectations of its people.

On the economic side, market forces have been firmly established in Mongolia. Overall, Mongolia has responded in a vigorous and enthusiastic way to the ideas and concerns of the donor groups and concerned peoples and countries in all parts of the world. It is, therefore, important whatever advances the people of Mongolia have made are recognized around the world.

Accordingly, I will urge my colleagues to vote for H. Con. Res. 158 and recognize the ranking minority member, Mr. Hamilton.

[The statement of Mr. Gilman appears in the appendix.]

Mr. HAMILTON. I thank the chairman. I support the resolution and I commend Chairman Bereuter and Chairman Gilman for bringing it forward.

It is my understanding, Mr. Bereuter, that the ranking member of your subcommittee likewise supports the resolution. I think he is otherwise detained at the moment, but perhaps it would be good to confirm that.

Mr. BEREUTER. Yes, that is correct.

Mr. HAMILTON. Thank you, Mr. Chairman.

Chairman GILMAN. Thank you, Mr. Hamilton.

Any other members seeking recognition?

[No response.]

Chairman GILMAN. If not, the question is on the amendment in the nature of a substitute offered by the gentleman from Nebraska. So many as in favor of the amendment, signify by saying, "Aye."

[Chorus of ayes.]

Chairman GILMAN. So many as opposed signify by saying, "No."

[Silence.]

Chairman GILMAN. The ayes appear to have it. The ayes do have it and the amendment is agreed to.

Mr. BEREUTER. Mr. Chairman?

Chairman GILMAN. Does Mr. Bereuter have a motion?

Mr. BEREUTER. Mr. Chairman, I move that the chairman be authorized and requested to move the resolution now before the committee to the floor for consideration on the suspension or consent calendars.

Chairman GILMAN. The question is now on the motion. So many as in favor of the amendment, signify by saying, "Aye."

[Chorus of ayes.]

Chairman GILMAN. So many as opposed signify by saying, "No."

[None.]

Chairman GILMAN. The ayes appear to have it. The ayes do have it and the motion is agreed to. The business session will now move to an additional resolution.

We will now proceed to mark up H. Con. Res. 42, Supporting a resolution to the longstanding dispute regarding Cyprus, introduced by the gentleman from New York, Mr. Engel.

Mr. Engel is delayed on the floor and we will proceed to ask for opening statements from other members.

I ask that any of our members who care to speak on the resolution be brief in order to be able to return to our hearing without delay. Their prepared statements may, of course, be included in full in the record without objection.

Before we begin, I would like to turn to the ranking minority member, Mr. Hamilton, for any comments he may have at this time.

Mr. HAMILTON. Mr. Chairman, I fully support the resolution. I think you and Congressman Engel have done excellent work. This is a constructive and important resolution. I think every member of this committee and probably every Member of the U.S. Congress has a very high level of frustration about the lack of progress with respect to Cyprus.

This is a resolution which endorses the demilitarization of Cyprus. It expresses the view that the status quo on Cyprus remains unacceptable. It endorses, of course, U.N. Security Council Resolution 939 and tries to add impetus to an effort to find a solution to the Cyprus problem. So I just want to indicate my full support for it and to congratulate you and Mr. Engel for moving it forward.

Gradual demilitarization on the Republic of Cyprus is certainly going to enhance the prospects for a peaceful resolution of the dispute there. And that would benefit all of the people on that island nation. So I strongly recommend that the committee adopt H. Con. Res. 42. There may be an amendment to it, which I understand also is acceptable to all sides, and I support the resolution.

Chairman GILMAN. Thank you, Mr. Hamilton.

Today's overview of current U.S. policy toward Cyprus comes on the eve of the 21st anniversary of the brutal invasion by Turkish Troops. Today the international community is still faced with the fact that in excess of 30,000 Turkish military personnel remain on the island to enforce an illegal partition and protect a self-proclaimed government that has been recognized by only one other country, Turkey itself.

Those of us in the Congress who have supported a negotiated settlement to this dispute which has led to the division of Cyprus are

painfully aware of the complexities of the issue, the injustices committed, and particularly the suffering over these many long years of the Cypriot people on both sides of the Green line. Indeed, Cyprus has become a codeword for stalemate and intractability in international diplomacy.

Last year, the House passed H.R. 2826, which provides for an investigation by the President of the whereabouts of persons missing in Cyprus since 1974. The resolution of the question of the whereabouts of 1,619 persons, including 5 Americans, needs to be and must be resolved. The U.N. has been looking into this matter since the early 1980's but has not yet solved one single case of the missing. I understand that former Ambassador Bob Dillon who has had long experience in the region will head the investigative team. I hope the administration and President Clinton will diligently pursue this investigation in order to provide to the families and friends of the missing some long overdue answers. I also hope that the Governments of Turkey and Cyprus are going to cooperate fully in providing all available information to the President as this investigation moves forward.

Old history and grievances must be placed behind as we seek to resolve the division of Cyprus. I hope and pray that both sides of the problem will reach within themselves to find the resolve to settle this persistent problem. The Greek Cypriots have demonstrated flexibility and a spirit of compromise in recent rounds of U.N. sponsored talks. The international community and the U.N. should recognize this as we reevaluate our tactics in the light of the most recent failure to move beyond the current situation.

I have urged and will continue to urge our administration to do more to focus the Turkish Government on the necessity of withdrawing from Cyprus without further delay. Regrettably, Prime Minister Ciller seems to be in a weak position and unable to reign in recalcitrant elements among Turkey's political and military establishment. But the fortunes of the people of Cyprus should not be held hostage to internal Turkish political problems.

Twenty-one years is a long time. Too long a time. There are now young people coming of age in Cyprus who know nothing other than the experience of living in a divided society. For this next generation what can guide them in learning to accept life with a neighboring but different culture? Time is running out for the possibility of a peaceful settlement and the people of Cyprus now have to ask themselves if the enmity between the two communities is truly worth the price of a divided nation.

We welcome our distinguished witnesses who will be with us this morning. We will begin with three officials from the State Department who have day-to-day responsibility for our relations with Cyprus and our efforts to help reach a solution to this difficult problem. Our witnesses today will include Assistant Secretary Holbrooke, who has just called us and told us that he is delayed and may not be able to attend; Special Coordinator for Cyprus, Jim Williams; and our good Ambassador to Cyprus, Richard Boucher. We will also be hearing from representatives of the Greek and Turkish-Cypriot communities, Mr. Phil Christopher and Mr. Joseph Youssouf.

Are there any other members who seek recognition?

[The statement of Mr. Gilman appears in the appendix.]

Mr. BURTON. Mr. Chairman?

Chairman GILMAN. Mr. Burton.

Mr. BURTON. Mr. Chairman, I think we all want to see the issue on Cyprus resolved. But the tone of the resolution bothers me a little bit because it implies that the vast majority of the responsibility for the problem on Cyprus rests with Turkey and it does not really go into any history of the situation.

For instance, they do not talk about what Archbishop Makarios did shortly after his election in the early 1960's. So let me set the record straight on a few issues and then we can proceed.

I want to stress to my colleagues that in 1960 when Great Britain relinquished control of the island, a bicomunal government was established with shared leadership by Turkish Cypriots and Greek Cypriots as political equals. Neither community was to dominate the new government.

Tragically, right after Britain's departure, the new President of Cyprus, a Greek Cypriot, Archbishop Makarios, began to carry out his plan for union with Greece. By December of 1963 Greek Cypriots had destroyed the bicomunal character of the republic, physically ousting Turkish Cypriot leaders from their elected positions and destroying over 100 Turkish Cypriot villages. Nobody talks about that.

For the next 11 years—11 years, Turkish Cypriots heavily outnumbered by the Greek Cypriots suffered great losses, human and material in clashes initiated by Greek Cypriots and fully supported by the Greek Army. One out of every 120 Turkish Cypriots including women, children and the elderly was killed—1 out of every 120 was killed during this period even with the United Nations peace-keeping troops present on the island. Nobody talks about that.

Thousands of Turkish Cypriots were forced to flee from their homes to live in enclaves throughout the island and were in effect held hostage, held hostage in their own land without representation in government which was provided them in the 1960 constitution. The U.S. Secretary George Ball, Secretary of State George Ball visited Cyprus in February of 1964 and concluded—this is our Secretary of State—that "Greek Cypriots just wanted to be left alone to kill Turkish Cypriots." Nobody talks about that.

Turkey waited for 11 years, 11 years for help from the world community and none came. By 1974, Turkey could not longer stand by and watch innocent Turkish Cypriots be slaughtered by Greek Cypriots. So Turkey intervened militarily on the island and since this time, Turkish Cypriots no longer feared for their lives.

Let me emphasize that these troops pose no threat to the southern part of the island. Since the Turkish military intervention concluded in 1974, these troops have never attacked or threaten to attack the South. They are there simply to deter aggression against Turkish Cypriots.

Let me also add that unlike government officials from Greece who have often made statements saying that Cyprus is rightfully part of Greece, no Turkish officials have ever suggested that Turkey should attempt to annex the whole of Cyprus.

Unfortunately, House Concurrent Resolution 42 completely dismisses this history of Cyprus. It does not even talk about this, you

know. "The Turks are wrong. The Turkish Cypriots are wrong. And to heck with history."

For Turkish Cypriots the memories of 1960 to 1974 remain vivid. And to suggest that they should lay down their arms and suddenly trust their age-old nemesis, especially when Greek Cypriots are continuing to try to impoverish them through an economic embargo is absurd.

I cannot think of another conflict in the world where this committee would put forth such a solution. I call on my colleagues to reject House Concurrent Resolution 42 and pay attention to history a little bit. This resolution is biased against the Turkish Republic of Northern Cyprus and Turkey. It makes no demands whatsoever of the Republic of Cyprus or Greece, like lifting its economic embargo against the North. And it completely ignores the history of the island and who is to blame for its division.

And I would also like to point out that I get awful tired of watching Turkey get kicked in the teeth on the floor and in this committee. Turkey has been an ally of ours, war after war, conflict after conflict. In the Persian Gulf war, Turkey voluntarily cut off the oil supply, the oil transports from Iraq. And it has cost them billions of dollars. They let us use their bases to attack the Iraqis. They were a large part of our winning the war in the Persian Gulf. And they have been with us in Somalia and everywhere else. And all we do is kick them in the teeth.

We have a penchant in the Congress of the United States of putting our arms around people who did not work with us. And I use India as an example. India during the cold war built T-55 tanks for the Soviets. They built MiGs. They built everything else. They voted against us 95 percent, 98 percent at the United Nations and we give them money, we give them help. We never criticize them.

And Turkey has been our friend forever and we kick them in the teeth. I do not understand. You know, there was a movie a long time ago, Mr. Chairman, called, "The Mouse that Roared," and it said the best way to get aid and assistance from the United States was to kick them in the teeth and they had a bunch of people in rowboats attacking the United States because they knew if you were an enemy of the United States you were going to get something.

Mr. ACKERMAN. Mr. Chairman.

Mr. BURTON. And whether or not you believe it, that seems to be the fact. And I get a little tired of it. And I yield back the balance of my time.

Chairman GILMAN. The gentleman yields back the balance of his time.

Mr. Ackerman?

Mr. ACKERMAN. Thank you, Mr. Chairman. I suspect there was very little time to yield back.

Mr. Chairman, I strongly disagree with the views of my esteemed colleague and his perception of history and the order of events and the placing of blame. Certainly, we should be appreciative of those good things that have been done by Turkey and the support that they have given in very important circumstances throughout history. But other than that, there is very little in the remarks that I just heard that I might agree with.

I want to thank you very much, Mr. Chairman, for calling this hearing and thanking our esteemed witnesses for taking the time out of their very busy schedules to share with us the benefits of their experiences.

I would like to single out and welcome especially my good personal friend, Mr. Phil Christopher, who is the president of the Pan Cyprian Association of America, a very distinguished New Yorker, a fighter for human rights all over the world and somebody who has certainly been in the forefront of leadership on the issue of justice in Cyprus.

The situation in Cyprus is of great importance to the United States. This has been clearly demonstrated by some recent measures. First, as the President had promised in January, he appointed a special emissary for Cyprus, Ambassador Richard Beatty. This provides us with a direct liaison with the Cypriot population.

Second, our efforts in the United Nations have paid off in the nature of numerous resolutions by the international community regarding the future of Cyprus. We have particularly tried to highlight our concern with regard to Turkish troop movements in northern Cyprus.

And, third, many concerned Members of Congress have taken some steps to ensure a peaceful resolution to this conflict.

Certainly, sections of the American Overseas Interest Act and the Foreign Operations Appropriations Act allow aid to continue to Cyprus under the stipulation of continued negotiations.

Today we take another very positive step in the direction of a resolution marking up H. Con. Res 42 and listening to the testimony of those who are directly involved with this process.

I commend you, Mr. Chairman, for conducting this markup and for determining that this situation deserves our utmost attention.

Purely stated, the passage of H. Con. Res. 42 would underscore Congress' strong feeling that the status quo on Cyprus is unacceptable. It is imperative that the international community find a feasible solution to this conflagration. Twenty-one years have gone by without any resolution since the Turkish invasion of Cyprus. That is 21 years too long.

Again, I am very pleased to be present and participating at this hearing and I sincerely welcome all of our guests and I look forward to their incisive testimony. And it is my hope that this discussion will yield further steps that we may take to alleviate our concerns in this area. And I thank you, Mr. Chairman, and I yield back the balance of my time.

Chairman GILMAN. I thank the gentleman for his remarks.

Mr. Menendez.

Mr. MENENDEZ. Thank you, Mr. Chairman.

Mr. Chairman, I want to first thank you and also congratulate you for holding a hearing that I think has long been overdue. Many of us have an interest in this part of the world and we believe that there is significant U.S. interest in this part of the world and, therefore, I appreciate you holding this hearing today. And as an original cosponsor of Mr. Engel's resolution, I strongly support it.

You know, Cyprus is one of the few island nations in the world that tragically remains divided. And tomorrow marks, I believe, the 21st anniversary of the Turkish invasion and occupation. And a so-

lution to the longstanding and what I believe illegal occupation and division of Cyprus is long overdue.

And Nicocia remains one of the world's only divided cities. We are at a time when the road to peace has come to the Middle East, when we have begun to silence the guns in the Irish Conflict, and I would suggest the time is now for Nicocia to be one again. And for Cyprus to be one again.

Mr. Chairman, I think that we have seen Greek Cypriots in accordance with the United Nations Security Council resolutions enter into good faith negotiations and good will in an attempt to arrive at a responsible and fair solution to the illegal division and occupation of Cyprus.

And I think that is recognized even by the—one of those reports that we recently, not too long ago saw from the United Nations, that the Secretary General specifically mentioned that the intransigents as Mr. Dentash, as one of the main reasons why movement was not going forward. And this is now an independent party making that analysis.

I think that one thing we see time and time again, and those of us who are seriously concerned about this, those of us, for example, who supported the Porter amendment is the pattern that we see of Turkish Cypriot and the Turkish Government general intransigents. They say that Cyprus cannot join the EU until Turkey is admitted. And I think everyone knows that is somewhat disingenuous and lacks seriousness because Turkey is not going to be joining the EU any time soon.

Prime Minister Ciller has said that the key to the Cyprus problem is in Ankara and, yes, maybe it is. But I would suggest that that key, if anything, be used to open the door to bring back the 35,000 troops that are illegally in Cyprus. I think that if that door is open you will see some dramatic movement toward the cause of peace and justice to the people on both sides on the nation of Cyprus.

And I want to commend the administration in moving forward and helping Cyprus in the process of its ascension to the EU. I think of that as a significant action and it is a big catalyst and I think it also sends a clear message to our Turkish friends that continued intransigence on the Cyprus issue will yield them no positive results. Cyprus is one island. It is one nation. I do not believe its people believe that it can have two governments. It should really only have one government, the government of Cyprus. It does not have to have two different governments. It has only one people, the people of Cyprus.

And when I listen to my good colleague who I join on many other issues talk about the question of sovereignty, let me just say it was recent that the Turkish Cypriot leader, Mr. Dentash, referred to Turkey in his comments as the motherland. Now, I may not be a Cypriot, but it seems to me that the nation which tomorrow enters its 21st year in its struggle for unity is Cyprus and not Turkey. And the status of a Turkish motherland is not the question here. The question here is the status and dignity of the people in the nation of Cyprus.

And I think we have got to condemn some of the threats to integrate the Turkish occupied zone with the Greek zone were Cyprus

to join the EU as well as the recent building by the Turkish occupation forces of new fortifications at the Poffas Gate and occupied Nicocia. So I look forward to the witnesses. I, too, want to commend not only our Ambassadors who are working hard on this issue, but also the private citizens like Phil Christopher and others who are trying very hard. And I would urge them to continue their work.

I know sometimes things do not seem to move along the way we would like, but I have learned that one person fighting for a belief can be much more dramatic in terms of making change than the forces that are paid to do the same. So I would continue to urge his good work and the work of others.

Chairman GILMAN. I thank the gentleman for his comments.

Chairman GILMAN. And without objection, a statement by the gentlelady from Florida, Mrs. Ileana Ros-Lehtinen, will be included in the record in support of the resolution.

[The statement of Ms. Ros-Lehtinen appears in the appendix.]

Mr. ENGEL. Mr. Chairman?

Chairman GILMAN. Mr. Engel, if you would hold until the resolution is introduced, we will welcome your supporting statement.

Mr. ENGEL. Thank you.

Chairman GILMAN. There are no further members seeking recognition. The Clerk will report the title of the resolution.

The CLERK. H. Con. Res. 42, Supporting the resolution to the longstanding dispute regarding Cyprus.

Chairman GILMAN. The clerk will read the resolution for an amendment.

The CLERK. Concurrent Resolution supporting a resolution to the longstanding dispute regarding Cyprus. Whereas, the longstanding—

Chairman GILMAN. Without objection, both the Concurrent Resolution and the Preamble are considered as having been read and are open to an amendment at any point.

[The concurrent resolution appears in the appendix.]

Now, does the gentlemen from New York, Mr. Engel, seek recognition?

Mr. ENGEL. Yes, Mr. Chairman. Thank you, Mr. Chairman. Thank you for holding the markup today to consider my resolution, H. Con. Res. 42, which supports demilitarization in Cyprus. I have worked on this for a long, long time. I commend—

Chairman GILMAN. Mr. Engel, if I might interrupt. Would you please offer your amendment?

Mr. ENGEL. OK, Mr. Chairman. I have an amendment at the desk.

Chairman GILMAN. The Clerk will distribute and read the amendment.

The CLERK. Amendment to H. Con. Res. 42 offered by Mr. Engel. Page 2 in the eighth clause of the Preamble—

Chairman GILMAN. Without objection, the amendment is considered as having been read.

Mr. Engel is now recognized to present the resolution on the amendment.

[The amendment of Mr. Engel appears in the appendix.]

Mr. ENGEL. Thank you, Mr. Chairman, and I want to thank you again for holding this markup today to consider my resolution, H. Con. Res. 42 which supports demilitarization in Cyprus.

You and I have worked for many years along with many of our colleagues to ensure that peace and justice comes to the beleaguered isle of Cyprus and I want to also mention John Porter who has worked for so many years. We have 73 Members of Congress who are cosponsors of this resolution and it truly is bipartisan, 26 Republicans and 47 Democrats. It shows that the Members of Congress understand what is really going on on the island.

I want to also thank our colleague, Lee Hamilton, for his great help in moving this legislation forward, as well. As we are aware, more than one-third of the sovereign territory of the Republic of Cyprus remains under foreign occupation by over 30,000 heavily armed troops; Turkish troops. At the same time, a continuing arms buildup on the island is increasingly a matter of serious concern.

I strongly believe that demilitarizing Cyprus would lessen tensions in the region, meet the security concerns of all parties and thereby help to promote a settlement of this longstanding dispute. For over 20 years, 21 now, the Cyprus problem has remained unresolved despite continued attempts by the U.S. and the U.N. Earlier this year, President Clinton appointed a special envoy for Cyprus and sent Assistant Secretary of State Richard Holbrooke—we will hear from him later, I am delighted—who will testify before our committee to the region in search of a solution.

Their efforts were well intentioned, but have yet been unable to break the deadlock. A fresh approach is necessary to bridge the gap between the parties. Last year, President Clerides of Cyprus unveiled a balanced proposal for the complete demilitarization of the island which has been well received in the United States and Europe.

Unfortunately, Mr. Dentash, the leader of the Turkish Cypriots, has once again turned his shoulder on any type of peace or any type of ending the occupation of the island and ending the division of the island. It is our hope that endorsement of this notion of demilitarization by Congress will help the parties build a climate within which negotiations can succeed.

As I mentioned before, we have 73 members cosponsoring it including a majority of the members of this committee. As we approach tomorrow's 21st anniversary of the Turkish occupation of Cyprus, I believe that the committee should pass this legislation and take this moderate yet forward-looking step to promote a resolution of the longstanding conflict on Cyprus.

Now, there is nothing new in this resolution. The U.N. Security Council has passed many resolutions calling for the withdrawal of all foreign troops from Cyprus. Section 620(c) of the Foreign Assistance Act sets withdrawal of foreign forces as a goal of the U.S. policy. This resolution simply takes those propositions and applies it to all military forces on Cyprus, not only the foreign forces.

In that sense, it is even more balanced than United States or United Nations policies.

I would be remiss if I did not answer at this time some of the things that my friend, Mr. Burton had mentioned before. It is very easy to sit here and talk about occupation of an island as if it does

not mean anything. But I wonder how many countries in the world would stand for 21 years of division of their nation. Twenty-one years of people being evicted, unable to return to their home—

Mr. BURTON. Would the gentleman yield?

Mr. ENGEL. I will be happy to yield when I finish.

Twenty-one years of people not being able to go back to where they came from. And it is only one reason. It is because of the Turkish occupation. It is very interesting if the Turkish occupation was justified, more countries around the world would recognize it.

The fact of the matter is that all countries around the world recognize the Republic of Cyprus. The Republic of Cyprus, one government on one island. Only Turkey, only Turkey recognizes the occupation.

Now, Mr. Chairman, at this time, I would like to call up an amendment at the desk. And I am very pleased that you have agreed to join me in offering these technical changes.

Mr. BURTON. Would the gentleman yield?

Mr. ENGEL. Well, I am told that I only have a minute and I would like to speak on my amendment.

Mr. BURTON. Well, you just made a couple of comments referring to my statement. I just thought maybe you would show me that courtesy.

Mr. ENGEL. Well, I will at the end if there is time, Mr. Burton.

Mr. BURTON. OK.

Chairman GILMAN. The gentleman's amendment has already been distributed. The gentleman may proceed on his amendment.

Mr. ENGEL. OK. The one substantive change contained in my amendment is the addition of the words, "ultimate" and "total" before the word, "demilitarization" in operative clause 6. The purpose of this change which was worked out with the chairman and ranking member of the committee is twofold.

First, the term "ultimate" is inserted to highlight that in passing this resolution, Congress is endorsing a process of demilitarization. With the settlement of the Cyprus dilemma still eluding diplomats, we feel that it is important to develop a process which will ultimately lead to demilitarization.

And, secondly, the word "total" is inserted to make absolutely clear that by adopting this resolution, our committee is endorsing the complete demilitarization of Cyprus and not any lesser step. I feel that this perfecting amendment improves the bill without altering what is at its heart a strong message that Congress supports demilitarization of Cyprus. I urge my colleagues to support the amendment and support the resolution. And I would be happy now to yield to my friend from Indiana.

Mr. BURTON. I will just get my own time.

Chairman GILMAN. The gentleman's time has expired.

Mr. BURTON. May I speak on the amendment?

Chairman GILMAN. Mr. Burton.

Mr. BURTON. Yes. I will just speak on the amendment, Mr. Chairman.

One out of 120 Turkish Cypriots was killed, women and children and men, between 1963 and 1974. And that is why Turkey sent troops to the island to protect them. They have never attacked the South. They occupy one-third. And the reason they do, the northern

third is because they want to protect the people, the Turkish Cypriots who live there.

Now, one of the things that Mr. Engel just said was that, you know, we should not tolerate, the world should not tolerate the occupation by foreign troops of a nation. These are Turkish Cypriots. And Turkey did not want to see them annihilated. They did not want to see them repressed like they were being repressed. That is why they sent those troops there in the first place.

Now I would just like to submit to you there are other parts of the world where countries are divided: North and South Korea. Should we pull all of our troops out of South Korea? Should the military be pulled out and just leave them to the North Koreans?

I do not think many people would agree with that.

What about Taiwan? Should Taiwan, you know, China says that Taiwan is a part of Mainland China. Should we just throw Taiwan to the wolves? Say, you know, "You guys ought to disarm."

Mr. ENGEL. Would the gentleman yield?

Mr. TORRICELLI. Would the gentleman yield?

Mr. BURTON. I will not yield right now.

The bottom line is this. There should be a resolution of the crisis on Cyprus and it should be a fair resolution. It should be one that guarantees—guarantees peace and guarantees the security of Greek Cypriots and Turkish Cypriots. When Makarios took over in 1963 and he started the Innosis and tried to unite Cyprus with Greece, the Turkish Cypriots did not like it. But they were going to lump it. They were told to lump it. And they took the elected Turkish Cypriots and kicked them out of the parliament and they started killing them. And they killed 1 out of 120 over an 11 year period. And nobody ever talks about that. They talk about what happened after 1974. But they do not talk about the carnage that took place before that.

And so my feeling is that we should be fair. And this amendment, I do not believe is fair. And what we should say in a resolution that we take to the floor is, "Look. We are not going to take sides in this thing. We would like to see the Turkish military removed, but only after there are guarantees that nobody else is going to be killed and there is not going to be any reprisals." And if the Turkish military were to leave tomorrow you can bet your bottom dollar there would be a replay of what happened between 1963 and 1974. And there is just no common sense to that. None whatsoever. And so I think this is an ill-founded resolution and the amendment is as well. And I think people in this place ought to start thinking about our friends as I said before. You know, Turkey has been a friend through thick and thin. We just keep kicking them.

Chairman GILMAN. The gentleman's time has expired.

Mr. Torricelli.

Mr. TORRICELLI. Thank you, Mr. Chairman.

Mr. Chairman, the history of Cyprus is complex. There is more than enough blame for leaders in each of the communities for the unfortunate circumstances that have led now to the division of the island.

History will take account of the role of people who led us into this unfortunate situation. We are, however, left with the reality

that after these so many years the nation is divided, there are foreign military troops in the north Cyprus, families and communities are divided.

It is the judgment of many in the international community that a principal obstacle to settlement remains the military presence of Turkey on the island. There is no question that a fair resolution will require among other things that the members of each community feels security in their own homes. And there are a variety of ways to achieve this. It is also required that each community feel that it has adequate political power and some form of autonomy.

But the fact remains that there will be no settlement unless and until foreign military troops are withdrawn. It is my own belief, having visited the island and been involved in this issue for so many years that if the Cypriots themselves could be left to their own devices, this problem would be settled.

They love their country, their community. There is an understanding, I think, among both Greeks and Turks of the mistakes of the past. But the road to a settlement continues to lead through Ankara. And it is there that the negotiations continually fail.

Turkey has through the years been of assistance to the Western Alliance and a friend to the United States. But we do no service to that friendship or ourselves or the things that we believe, not to speak the truth and to address this issue honestly with the government in Ankara. To continue the occupation of Cyprus is wrong. It serves no Turkish interest. It is of no benefit to Turkish Cypriots. And it is illegal.

We have tried these many years the powers of persuasion and they have failed. Turkey in my judgment now must come to understand that not only its relationship with Europe which constitutes its economic and political future, but its strategic friendship with the United States is incompatible with its intransigence on Cyprus.

I believe that this resolution that I offer with Mr. Engel, as one of his cosponsors, makes a contribution. It is, however, not a final resolve. The Clinton administration must make clear that this continued intransigence on Cyprus prohibits a broad area of cooperation and responsibility between Turkey and the United States and our European allies.

Mr. Chairman, we have all been involved in this problem for so many years. I profoundly believe that in these next few years, if we do not use every means available to force the Turkish military to deal honestly with this problem, we will never see a resolution of the Cyprus problem. The island will become permanently divided.

Therefore, I urge the adoption of the resolution, but not as a final statement, but simply as a beginning. Yesterday, in a session that Mr. Porter and Ms. Maloney hosted, the administration announced that it was their intention that our U.S. representative return to Nicocia in the fall for another round of negotiations. I hope this resolution will be followed by a high-level visit from the Clinton administration to Cyprus and to Ankara to inform the Turkish Government that our patience in the past is no indication of a patience in the future.

This resolution, Mr. Chairman, would make a contribution to that effort.

Chairman GILMAN. I thank the gentleman for his remarks.

Mr. MENENDEZ. Mr. Chairman.

Chairman GILMAN. Mr. Menendez.

Mr. MENENDEZ. I thank the chairman.

I strongly support Mr. Engel's amendment. I clearly believe that the call for a expeditious and total withdrawal of forces would lead to the peace that is sought by both sides in the island and I would yield the balance of my time to Mr. Engel.

Chairman GILMAN. Mr. Engel.

Mr. ENGEL. I thank my friend from New Jersey.

I think the tone that was set by Mr. Torricelli is a very, very good one. I think that we have to look toward the future and not toward the past. I think that there can be a lot of finger-pointing on all sides, but all that will do is finger-point and not solve an intractable problem that has been around for 21 years. The fact of the matter is the reason why there is a problem is because if Turkish occupation of the island of Cyprus, while it may have been true that 30 years ago some elements may have wanted to unite Cyprus with Greece, I hardly think that that is a goal of anybody in 1995.

I think that the Government of Cyprus wants to be a sovereign nation like any other nation on all of its territory and not just two-thirds of its territory.

I do not think we can make a comparison to Korea or Taiwan because Korea and Taiwan, there are two governments there. They have been there for many, many years. Taiwan and China have been separated and I certainly support that separation as Mr. Burton knows. I have worked with him in that. The same thing with other nations of the world. Korea. It is not the same with Cyprus.

The only reason why there is a division in Cyprus and even the capital, Nicocia, is divided is because Turkey invaded the island. And Turkey did it with the U.S. weapons. I mean they were a NATO ally. They used our weapons. I think it is adding insult to injury quite frankly. Yes, they are an ally of the United States in NATO. And, yes, they have worked with us. I am not taking that away from them. But I think that allies need to point fingers at allies if the behavior is not proper. And there is no one that can say that the Turkish behavior in occupying a third of Cyprus for all these years is proper behavior. And it is particularly annoying when it is done with U.S. arms.

So I think, again, we have got to look toward the future. It does not matter if we start at 1963 or 1974, you know, we finally passed in this Congress a bill which I was proud to sponsor calling on the President to undertake an investigation of the missing in Cyprus, including five American citizens, I might say, who 21 years later are still unaccounted for.

I do not think that that is something that ought to be tolerated. And I think it is very, very clear that as long as there is Turkish occupation of a part of Cyprus, there will never be a solution to the problem because Turkey for years has come forth with no solutions. There has been negotiation after negotiation and Turkey has never agreed to withdraw its troops or to have some kind of compromise.

It is clear that the intransigence through the years has been on the Turkish side, not on the Greek Cypriot side. So what we are attempting to do here again is even-handedly saying, "All demili-

tarization including outside troops, including all troops," we are not just saying Turkish troops. All troops. And we think that that will help pave the way toward the future for a solution where Cyprus can once again be unoccupied and undivided. And I yield back the balance of my time.

Chairman GILMAN. I thank the gentleman for his remarks.

Ms. MEYERS. Mr. Chairman?

Chairman GILMAN. Mrs. Meyers.

Ms. MEYERS. Mr. Chairman, I do think that we should use our offices to help resolve this situation and I simply do not know how to determine who is most at fault in this long ongoing struggle. I do know that there is fear in the Turkish community if the troops go home. And I am concerned about our ability to be effective if we come down too hard on one side or the other with a resolution. I may vote no on this resolution simply for that reason. I do not think that it is effective or productive for us at this point in time to come down on one side or the other.

I would yield the balance of my time to Mr. Burton, Mr. Chairman.

Chairman GILMAN. Mr. Burton.

Mr. BURTON. Yes. I will just take a minute.

You know, I find it interesting that a lot of my colleagues say we should not look at history, we should look to the future. And, yet, I hear about this so-called "Armenian genocide," involving Turkey that happened back in 1915 to 1920.

You know? You say in one case let us not look at history, let us look to the future. But then you keep beating this dead horse that happened 70 or 80 or 90 years. We are talking about in the 1960's to the 1970's as far as the genocide that took place on Cyprus when 1 out of every 120 women and kids were killed.

I mean why is it wrong to talk about history in one case and not the other? You talked about the five Americans that are missing. I think that we should try our dead level best to find out what happened to those Americans. But we also should work a little bit harder to find out what happened to the 2200 that are missing in Vietnam and we just normalized relations with that country.

I think the bottom line is that we should look at history. We should look at why Turkey went into the northern part of Cyprus. We should realize that they area there to protect the Turkish Cypriots from the kind of carnage that took place from 1963 to 1974. And we, instead of passing this resolution, I will just say one more time and then I will yield the floor, we in my view should be passing a resolution urging all sides to sit down at a conference table and work out their differences and come to a peaceful resolution that will allow the Turkish Government to pull their troops out of Cyprus. But to try to force them to take their troops out of Cyprus without guaranteeing the security as well as property rights and everything else of the Turkish Cypriots is just not logical. And I thank the gentlelady for yielding and yield back the balance of my time.

Chairman GILMAN. I thank the gentleman for his remarks.

Mr. ACKERMAN. Mr. Chairman.

Chairman GILMAN. Who is seeing recognition?

Mr. ACKERMAN. I do, Mr. Chairman.

Chairman GILMAN. Mr. Ackerman.

Mr. ACKERMAN. Mr. Chairman, I was not going to seek time on this, but I am compelled to because of the remarks that have absolutely amazed me.

First of all, I do not believe that anybody said that we should not look at history. Second, I do not think anybody—Mr. Engel I believe said we should look forward. He did not say we should not look at history.

Second, the only person who keeps bringing up the Armenian genocide is, indeed, Mr. Burton. Nobody else has brought that up. He has brought that up four times, now, and claimed that everybody is talking about it. Had he not spoken about it, there would not have been a word here said. The attitude of guilt by erroneous association is somewhat puzzling if not outrageous. To compare the Turkish troops as necessary on Cyprus and citing the situation on Taiwan and North Korea, indeed, is more than curious.

The situation between China and Taiwan, Taiwan fearful of the world's largest nuclear power that has outright stated time and time again as recently as this week that if the people on that island insist upon their rights of self-determination that China will cross the Straits of Taiwan and invade that nation island. To say that is so of the peaceful loving people on Cyprus is not paying attention to any of the facts.

And with regard to North Korea, the situation on North Korea is quite different than the situation I might suggest in Cyprus. In North Korea, we have both parties represented in the United Nations. In North Korea, you have a treaty that settled a war, a treaty signed onto by both parties, a treaty signed onto by the international community.

In Taiwan you have a treaty signed—a law passed in the United States, the Taiwan Relations Act. International participation, which is what we are trying to get here with regard to Cyprus.

I fail to understand what my good friend objects to in H. Con. Res. 42. There are seven resolve clauses. That is the whole thing. One reaffirms that the status quo is unacceptable. I do not know how you object to that. Two, welcomes the appointment of a special emissary. Three, expresses continued strong support for efforts by the United Nations to help resolve the situation in a just and viable manner. Nobody gets kicked in the teeth here. Four, insists that all parties to the dispute regarding Cyprus seek a situation based on relevant U.N. resolutions. I do not know what you can disagree with. Five, reaffirms the position that all foreign troops should be withdrawn. All foreign troops. Not just one side. Six, considers that demilitarization of the Republic of Cyprus would meet the security concerns of all parties involved. And, seven, encourages the U.N. Security Council and the Government of the United States to consider alternative approaches to promote a resolution.

I do not know what is in there that kicks anybody in the teeth. Everything speaks to a just solution agreed to by all the parties.

Mr. MANZULLO. Will the gentleman yield?

Mr. ACKERMAN. To say that that kicks somebody in the teeth defies my understanding of the words on the paper. Words have meanings. And these words have meaning. And to suggest that it is otherwise is rather puzzling.

Mr. MANZULLO. Will the gentleman yield?

Mr. ACKERMAN. I would be delighted to yield.

Mr. MANZULLO. Mr. Ackerman, as I read this resolution facially all it says is that the U.S. Congress wishes to go on record as being opposed to the armed occupation of one sovereign nation by another sovereign nation. I think I am reading it the same way you are. Is that what you are saying?

Mr. ACKERMAN. I believe the gentleman is absolutely correct.

Mr. MANZULLO. And that is how—I think it is wrong for one nation, one sovereign nation to send 30,000 troops to occupy another sovereign nation and then in order to resolve disputes in the occupied country, this country is asking for the invading nation to withdraw its troops. That is how I read this. I do not read it any deeper than that.

Mr. ACKERMAN. The gentleman has no problem reading or understanding. You are 100 percent accurate.

Chairman GILMAN. The gentleman's time has expired.

Mr. Houghton.

Mr. HOUGHTON. Thank you, Mr. Chairman.

I am not going to take a great deal of time. Much has been spoken. A lot of emotions here. I think we are all converged on a single thought to try to reduce or eliminate the military occupation of Cyprus.

I happen to think that this is a dangerous approach to it and will develop in the law of unintended consequences and, therefore, with due respect to its author, I am going to oppose this motion.

Chairman GILMAN. If there are no further Members seeking recognition, the question is on the amendment offered by the gentleman from New York, Mr. Engel. So many as in favor of the amendment, signify by saying, "Aye."

[Chorus of ayes.]

Chairman GILMAN. So many as opposed signify by saying, "No."

[Chorus of noes.]

Chairman GILMAN. The ayes appear to have it. The ayes do have it. The amendment is agreed to.

Does Mr. Ballenger have a motion?

Mr. BALLENGER. Mr. Chairman, I move that the chairman be authorized and requested to move the Concurrent Resolution now before the committee to the floor for consideration on the suspension calendar.

Chairman GILMAN. The question is now on the motion. So many as in favor of the amendment signify by saying, "Aye."

[Chorus of ayes.]

Chairman GILMAN. So many as opposed signify by saying, "No."

[Chorus of noes.]

Chairman GILMAN. The ayes appear to have it. The ayes do have it and the motion is agreed to.

Mr. BURTON. Mr. Chairman.

Chairman GILMAN. The gentleman from Indian, Mr. Burton.

Mr. BURTON. Yes. I intend to fight this on this floor and if you bring it up under suspension, we may just beat. I will ask for a roll call vote here on the committee.

Chairman GILMAN. A recorded vote has been demanded. Is there a sufficient second for a recorded vote?

All those in favor of a recorded vote signify in the usual manner.
[Chorus of ayes.]

Chairman GILMAN. There is sufficient numbers for a recorded vote. On this vote the ayes—the Clerk will call the roll.

The CLERK. Mr. Gilman.

Chairman GILMAN. Aye.

The CLERK. Mr. Gilman votes yes.

Mr. Goodling.

Mr. GOODLING. [No response.]

The CLERK. Mr. Leach.

Mr. LEACH. [No response.]

The CLERK. Mr. Roth.

Mr. ROTH. [No response.]

The CLERK. Mr. Hyde.

Mr. HYDE. [No response.]

The CLERK. Mr. Bereuter.

Mr. BEREUTER. [No response.]

The CLERK. Mr. Smith.

Mr. SMITH. [No response.]

The CLERK. Mr. Burton.

Mr. BURTON. No.

The CLERK. Mr. Burton votes no.

Mrs. Meyers.

Ms. MEYERS. No.

The CLERK. Mrs. Meyers votes no.

Mr. Gallegly.

Mr. GALLEGLY. Aye.

The CLERK. Mr. Gallegly votes yes.

Ms. Ros-Lehtinen.

Ms. ROS-LEHTINEN. [No response.]

The CLERK. Mr. Ballenger.

Mr. BALLENGER. Aye.

The CLERK. Mr. Ballenger votes yes.

Mr. Rohrabacher.

Mr. ROHRABACHER. No.

The CLERK. Mr. Rohrabacher votes no.

Mr. Manzullo.

Mr. MANZULLO. Aye.

The CLERK. Mr. Manzullo votes yes.

Mr. Royce.

Mr. ROYCE. Aye.

The CLERK. Mr. Royce votes yes.

Mr. King.

Mr. KING. [No response.]

The CLERK. Mr. Kim.

Mr. KIM. No.

The CLERK. Mr. Kim votes no.

Mr. Brownback.

Mr. BROWNBACK. Yes.

The CLERK. Mr. Brownback votes yes.

Mr. Funderburk.

Mr. FUNDERBURK. Yes.

The CLERK. Mr. Funderburk votes yes.

Mr. Chabot.

Mr. CHABOT. [No response.]
 The CLERK. Mr. Sanford.
 Mr. SANFORD. [No response.]
 The CLERK. Mr. Salmon.
 Mr. SALMON. Yes.
 The CLERK. Mr. Salmon votes yes.
 Mr. Houghton.
 Mr. HOUGHTON. No.
 The CLERK. Mr. Houghton votes no.
 Mr. Hamilton.
 Mr. HAMILTON. Aye.
 The CLERK. Mr. Hamilton votes yes.
 Mr. Gejdenson.
 Mr. GEJDENSON. Aye.
 The CLERK. Mr. Gejdenson votes yes.
 Mr. Lantos.
 Mr. LANTOS. [No response.]
 The CLERK. Mr. Torricelli.
 Mr. TORRICELLI. Aye.
 The CLERK. Mr. Torricelli votes yes.
 Mr. Berman.
 Mr. BERMAN. [No response.]
 The CLERK. Mr. Ackerman.
 Mr. ACKERMAN. Aye.
 The CLERK. Mr. Ackerman votes yes.
 Mr. Johnston.
 Mr. JOHNSTON. [No response.]
 The CLERK. Mr. Engel.
 Mr. ENGEL. Aye.
 The CLERK. Mr. Engel votes yes.
 Mr. Faleomavaega.
 Mr. FALEOMAVAEGA. Aye.
 The CLERK. Mr. Faleomavaega votes yes.
 Mr. Martinez.
 Mr. MARTINEZ. Aye.
 The CLERK. Mr. Martinez votes yes.
 Mr. Payne.
 Mr. PAYNE. [No response.]
 The CLERK. Mr. Andrews.
 Mr. ANDREWS. [No response.]
 The CLERK. Mr. Menendez.
 Mr. MENENDEZ. Aye.
 The CLERK. Mr. Menendez votes yes.
 Mr. Brown.
 Mr. BROWN. Yes.
 The CLERK. Mr. Brown votes yes.
 Ms. McKinney.
 Ms. MCKINNEY. [No response.]
 The CLERK. Mr. Hastings.
 Mr. HASTINGS. [No response.]
 The CLERK. Mr. Wynn.
 Mr. WYNN. Aye.
 The CLERK. Mr. Wynn votes yes.
 Mr. McNulty.

Mr. McNULTY. Yes.

The CLERK. Mr. McNulty votes yes.

Mr. Moran.

Mr. MORAN. [No response.]

The CLERK. Mr. Frazer.

Mr. FRAZER. [No response.]

Chairman GILMAN. The clerk will call the absentees.

The CLERK. Mr. Goodling. Mr. Leach. Mr. Roth. Mr. Hyde. Mr. Bereuter. Mr. Smith. Ms. Ros-Lehtinen. Mr. King.

The CLERK. Mr. Chabot.

Mr. CHABOT. Yes.

The CLERK. Mr. Chabot votes yes.

Mr. Sanford.

Mr. SANFORD. Yes.

The CLERK. Mr. Sanford votes yes. Mr. Lantos. Mr. Berman. Mr. Johnston. Mr. Payne. Mr. Andrews. Ms. McKinney. Mr. Hastings.

The CLERK. Mr. Moran.

Mr. MORAN. Aye.

The CLERK. Mr. Moran votes yes.

Mr. Frazer.

Chairman GILMAN. The clerk will call further absentees.

The CLERK. Mr. Roth.

Mr. ROTH. No.

The CLERK. Mr. Roth votes no.

Chairman GILMAN. The clerk will report the tally.

The clerk will poll Ms. Ros-Lehtinen.

The CLERK. Ms. Ros-Lehtinen.

Ms. ROS-LEHTINEN. Yes.

The CLERK. Ms. Ros-Lehtinen votes yes.

Chairman GILMAN. The clerk will report the tally.

The CLERK. On this vote there were 23 ayes and 6 noes.

Chairman GILMAN. The motion is agreed to.

Mr. JOHNSTON. Mr. Chairman?

Chairman GILMAN. The clerk will report Mr. Johnston's vote.

The CLERK. Mr. Johnston is recorded as not voting. Mr. Johnston.

Mr. JOHNSTON. Yes.

The CLERK. Mr. Johnston votes yes.

Chairman GILMAN. The clerk will report the tally.

The CLERK. On this vote, there were 24 ayes and 6 noes.

Chairman GILMAN. The motion is agreed to.

Ms. Ros-Lehtinen.

Ms. ROS-LEHTINEN. Thank you, Mr. Chairman. I apologize to the committee, to the members, for rushing into a vote. I am in the Waco hearings for the next nine days, so I apologize as important as this bill is to my constituency. Thank you, Mr. Chairman.

Chairman GILMAN. Thank you.

We will now proceed with the hearing on the Cyprus issue. And I want to at this time extend a welcome to two former members, Mr. Edward Derwinski, former counselor to the State Department and Secretary of Veterans Affairs, the gentleman from Illinois, and Mr. Tom Evans, the gentleman from Delaware. We welcome our former members to our hearing.

[Whereupon, at 11:10 am., the committee was adjourned subject to the call of the chair.]

APPENDIX

1A

104TH CONGRESS
1ST SESSION

H. J. RES. 83

Relating to the United States-North Korea Agreed Framework and the obligations of North Korea under that and previous agreements with respect to the denuclearization of the Korean Peninsula and dialogue with the Republic of Korea.

IN THE HOUSE OF REPRESENTATIVES

MARCH 30, 1995

Mr. BEREUTER (for himself and Mr. KIM) introduced the following joint resolution; which was referred to the Committee on International Relations

JOINT RESOLUTION

Relating to the United States-North Korea Agreed Framework and the obligations of North Korea under that and previous agreements with respect to the denuclearization of the Korean Peninsula and dialogue with the Republic of Korea.

Whereas the United States-Democratic People's Republic of Korea Agreed Framework ("Agreed Framework"), entered into on October 21, 1994, between the United States and North Korea, requires North Korea to stop and eventually dismantle its graphite-moderated nuclear reactor program and related facilities, and comply fully with its obligations under the Treaty on the Non-Proliferation of Nuclear Weapons, in exchange for alternative energy sources, including interim supplies of bunker oil

for electric generators and more proliferation-resistant light water reactor technology;

Whereas the Agreed Framework also commits North Korea to "consistently take steps to implement the North-South Joint Declaration on the Denuclearization of the Korean Peninsula" and "engage in North-South" dialogue with the Republic of Korea;

Whereas the Agreed Framework does not indicate specific criteria for full normalization of relations between the United States and North Korea, and does not link the sequencing of actions in the Agreed Framework with any time-frame for carrying out the provisions of the North-South Joint Declaration on the Denuclearization of the Korean Peninsula and carrying out the dialogue between North Korea and the Republic of Korea;

Whereas the commitment by North Korea to carry out the letter and spirit of the Agreed Framework has been put into doubt by actions of North Korea since October 21, 1994, including the suspected diversion of United States supplied bunker oil in contravention of the agreed purpose of the interim fuel deliveries, the refusal to accept light water reactors from the Republic of Korea, the harsh denunciations of the Government of the Republic of Korea and other actions contrary to the commitment by North Korea to engage in a dialogue with such Government, and the conduct of provocative, offensive oriented military exercises that exceed levels for such activities prior to the Agreed Framework; and

Whereas the nuclear threat posed by North Korea is just one of a number of security concerns of the United States arising out of the policies of North Korea: Now, therefore be it

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled,*

3 **SECTION 1. CLARIFICATION OF NUCLEAR NONPROLIFERA-**
4 **TION OBLIGATIONS OF NORTH KOREA**
5 **UNDER THE AGREED FRAMEWORK.**

6 It is the sense of the Congress that in discussions
7 or negotiations with the Government of North Korea pur-
8 suant to the implementation of the United States-Demo-
9 cratic People's Republic of Korea Agreed Framework (in
10 this joint resolution referred to as the "Agreed Frame-
11 work"), entered into on October 21, 1994, the President
12 should uphold the following minimum conditions relating
13 to nuclear nonproliferation:

14 (1) All spent fuel from the graphite-moderated
15 nuclear reactors and related facilities of North
16 Korea should be removed from the territory of North
17 Korea.

18 (2) The International Atomic Energy Agency
19 should have the freedom to conduct any and all in-
20 spections that it deems necessary to fully account for
21 the stocks of plutonium and other nuclear materials
22 in North Korea, including special inspections of sus-
23 pected nuclear waste sites, before any nuclear com-
24 ponents for a light water reactor or technical data
25 are delivered to North Korea.

1 (3) The dismantlement of all declared graphite-
2 based nuclear reactors and related facilities in North
3 Korea, including réprocessing units, should be com-
4 pleted in accordance with the Agreed Framework
5 and in a manner that effectively bars in perpetuity
6 any reactivation of such reactors and facilities.

7 (4) The United States should suspend its obli-
8 gations under the Agreed Framework if North
9 Korea attempts to reload its existing 5 megawatt
10 nuclear reactor or resumes construction of nuclear
11 facilities other than those permitted to be built
12 under the Agreed Framework.

13 **SEC. 2. ROLE OF THE REPUBLIC OF KOREA UNDER THE**
14 **AGREED FRAMEWORK.**

15 It is further the sense of the Congress that the Re-
16 public of Korea is the only acceptable source for the major
17 nuclear components for light water reactors to be provided
18 to North Korea under the Agreed Framework.

19 **SEC. 3. FURTHER STEPS TO PROMOTE UNITED STATES SE-**
20 **CURITY AND POLITICAL INTERESTS WITH RE-**
21 **SPECT TO NORTH KOREA.**

22 It is further the sense of the Congress that, after the
23 date of the enactment of this joint resolution, the Presi-
24 dent should not take further steps toward upgrading diplo-
25 matic relations with North Korea or relaxing trade and

1 investment barriers imposed against North Korea with-
2 out—

3 (1) action by the Government of North Korea
4 to engage in a North-South dialogue with the Gov-
5 ernment of the Republic of Korea;

6 (2) implementation of the North-South Joint
7 Declaration on the Denuclearization of the Korean
8 Peninsula; and

9 (3) progress toward the achievement of several
10 long-standing United States policy objectives regard-
11 ing North Korea and the Korean Peninsula, includ-
12 ing—

13 (A) reducing the number of military forces
14 of North Korea along the Demilitarized Zone
15 and relocating such military forces away from
16 the Demilitarized Zone;

17 (B) prohibiting any movement by North
18 Korea toward the deployment of an intermedi-
19 ate range ballistic missile system; and

20 (C) prohibiting the export by North Korea
21 of missiles and other weapons of mass destruc-
22 tion, including related technology and compo-
23 nents.

1 **SEC. 4. RESTRICTIONS ON ASSISTANCE TO NORTH KOREA**
2 **AND THE KOREAN PENINSULA ENERGY DE-**
3 **VELOPMENT ORGANIZATION.**

4 Funds authorized to be appropriated or appropriated
5 under any provision of law other than the Foreign Assist-
6 ance Act of 1961 (22 U.S.C. 2151 et seq.) may be used
7 to provide assistance to North Korea or the Korean Penin-
8 sula Energy Development Organization only if such assist-
9 ance is provided under the same terms and conditions that
10 would apply to assistance provided to North Korea or such
11 Organization under the Foreign Assistance Act of 1961,
12 including—

13 (1) the requirement that the congressional com-
14 mittees specified in section 634A of such Act (22
15 U.S.C. 2394) be notified pursuant to that section in
16 the case of any reprogramming of funds; and

17 (2) the requirements contained in section 614
18 of such Act in the case of a waiver of any provision
19 of law specified in subsection (a) of such section that
20 would otherwise apply to such assistance.



United States Department of State

Washington, D.C. 20520

JUN 28 1995

Dear Mr. Bereuter:

I am writing in regard to H.J.Res. 83, relating to the U.S.- DPRK Agreed Framework. The resolution generally reflects priorities and goals that are shared by the Administration.

The nonproliferation provisions of Sections 1 of the bill reinforce and complement similar provisions in the U.S.-DPRK Agreed Framework, though there is a technical inaccuracy. Section 2 of the resolution correctly stresses the importance of the Republic of Korea (ROK) playing the central role in the light-water reactor project. We believe our recent negotiations with the DPRK in Kuala Lumpur, and with the KEDO Executive Board meeting which followed, have locked in this important objective. In Section 3, all the listed steps are issues on the Administration's agenda, though we do not necessarily believe that progress on each and every issue must necessarily precede any upgrading of relations or further relaxation of trade and investment barriers.

We do have concerns regarding section 4 and therefore, regrettably, must oppose the resolution. Section 4 would require us to notify the Committee when any funds are expended. The Administration recognizes the interest of the Committee in monitoring the total expenditures pursuant to the Agreed Framework and we have offered to work with the Committee staff on notification language to achieve this important oversight objective.

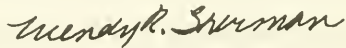
However, in addition, section 4 unduly complicates the process of obtaining funds for Agreed Framework implementation by requiring us to follow the reprogramming and waiver requirements of the Foreign Assistance Act, even if the source of funds is, for example, the Department of Energy or Department of Defense. Following this procedure would force the Executive Branch to invoke national security waiver authorities much more frequently. Moreover, in the case of Department of Energy and Department of Defense funds, the Executive Branch would be required to submit the relevant reprogramming documentation to the all of the committees

The Honorable
Douglas K. Bereuter,
Committee on International Relations,
House of Representatives.

specified in the Foreign Assistance Act in addition to the committees that normally review the reprogramming actions of those agencies. Thus, in addition to the problematic overuse of waivers, such a procedure could very well delay implementation, possibly jeopardizing critical elements of the Agreed Framework.

I hope we will be able to work together to address the Committee's justified desire to exercise oversight over these important matters, but to do so without impeding the implementation of the Agreed Framework. We hope there will still be an opportunity to resolve our remaining differences since we are in agreement with many of your goals.

Sincerely,

A handwritten signature in cursive script that reads "Wendy R. Sherman".

Wendy R. Sherman
Assistant Secretary
Legislative Affairs

**AMENDMENT OFFERED BY MR. BEREUTER
TO THE PREAMBLE OF H.J.RES. 83**

In the first whereas clause, strike "bunker" and insert in lieu thereof "heavy fuel".

Amend the fourth whereas clause to read as follows:

"Whereas the commitment by North Korea to carry out the letter and spirit of the Agreed Framework has been put into doubt by actions of North Korea since October 21, 1994, including the suspected diversion of United States heavy fuel oil in apparent contravention of the agreed purpose of the interim fuel deliveries, the ^{resistance to accepting} ~~refusal to accept~~ light water reactors from the Republic of Korea, the harsh denunciations of the Government of the Republic of Korea and other actions contrary to the commitment by North Korea to engage in a dialogue with such Government, and the continued conduct of provocative, offensive oriented military exercises;"

AMENDMENT OFFERED BY MR. BEREUTER
TO THE RESOLVED CLAUSES OF H.J.RES. 83

On page 3, line 17, insert "as is consistent with the Agreed Framework" before the period.

On page 3, beginning on line 23, strike "before any nuclear components for a light water reactor or technical data are delivered to North Korea" and insert in lieu thereof "before any nuclear components controlled by the Nuclear Supplier Group Guidelines are delivered for a light water reactor for North Korea".

On page 4, beginning on line 7, strike "its obligations under" and insert in lieu thereof "actions described in".

On page 4, strike lines 15 through 18 and insert in lieu thereof the following:

- 1 "It is further the sense of the Congress that the Republic of
- 2 Korea should play the central role in the project to provide light
- 3 water reactors to North Korea under the Agreed Framework.".

On page 4, line 25 insert "beyond opening liaison offices," after "North Korea".

AMENDMENT TO H.J. RES. 83

OFFERED BY MR. BEREUTER

Page 5, line 6, insert "significant progress toward" before "implementation".

Page 6, strike line 1 and all that follows through line 20 and insert the following:

1 **SEC. 4. RESTRICTIONS ON ASSISTANCE TO NORTH KOREA**
 2 **AND THE KOREAN PENINSULA ENERGY DE-**
 3 **VELOPMENT ORGANIZATION.**

4 (a) IN GENERAL.—Chapter 1 of part III of the For-
 5 eign Assistance Act of 1961 (22 U.S.C. 2370 et seq.) is
 6 amended by adding at the end the following new section:

7 **"SEC. 620G. ASSISTANCE TO NORTH KOREA AND THE KO-**
 8 **REAN PENINSULA ENERGY DEVELOPMENT**
 9 **ORGANIZATION.**

10 "No assistance may be provided under this Act or
 11 any other provision of law to North Korea or the Korean
 12 Peninsula Energy Development Organization unless

13 "(1) such assistance is provided in accordance
 14 with all requirements, limitations, and procedures
 15 otherwise applicable to the provision of such assist-
 16 ance for such purposes; and

17 "(2) the President—

1 “(A) notifies the congressional committees
2 specified in section 634A(a) of this Act prior to
3 the obligation of such assistance in accordance
4 with the procedures applicable to
5 reprogramming notifications under that section,
6 irrespective of the amount of the proposed obli-
7 gation of such assistance; and

8 “(B) determines and reports to such com-
9 mittees that the provision of such assistance is
10 vital to the national interests of the United
11 States.”.

12 (b) EFFECTIVE DATE.—Section 620G of the Foreign
13 Assistance Act of 1961, as added by subsection (a), ap-
14 plies with respect to assistance provided to North Korea
15 or the Korean Peninsula Energy Development Organiza-
16 tion on or after the date of the enactment of this joint
17 resolution.

**STATEMENT BY REPRESENTATIVE JAY KIM
COMMITTEE ON INTERNATIONAL RELATIONS
IN SUPPORT OF H.J.RES.83
JUNE 29, 1995**

Mr. Chairman, as an original cosponsor of H.J.Res.83 I want to commend my colleague, and Chairman of the Subcommittee on Asia and the Pacific, Mr. Bereuter, for all the work he has done to bring this important resolution before us today. As the only Korean-American in Congress I take great pride in being a strong supporter of H.J.Res.83 and ask my colleagues for their support.

In October 1994, when the Administration first unveiled the U.S.-North Korea Agreed Framework, many praised it as the beginning of the end to a perilous nuclear crisis in the Pacific Rim. Unfortunately, I did not share the same optimism as the Administration. In fact, I felt that the Agreed Framework was yet another effort to appease North Korea. Once again, the United States was obligated to give more than it received in return.

In that regard, I was pleased to support H.J.Res.83 because it sets a specific direction which the Administration must follow in its dealings with North Korea, rather than allowing that direction to be dictated by the leadership in the DPRK. Most important of all is the stipulation that a North-South dialogue be of the highest priority to ensure a reduction in the hostilities between the two governments in the hopes of long-term peace on the peninsula.

I think it is important that this Congress, and this Administration, send a clear message to the North Korean government by setting forth a blueprint of what we will accept as positive progress. Therefore, I ask all of my colleagues to support the immediate passage of H.J.Res.83 so that we set a clear plan of action with respect to North Korea.

Thank you Mr. Chairman.

104TH CONGRESS

H. RES.

1ST SESSION

Calling upon the People's Republic of China to release U.S. citizen Harry Wu unconditionally and to provide for an accounting of his arrest and detention.

IN THE HOUSE OF REPRESENTATIVES

June 30, 1995

MR. SMITH OF NEW JERSEY submitted the following resolution; which was referred to the Committee

Whereas Peter H. Wu, known as Harry Wu, is a citizen of the United States;

Whereas Harry Wu entered the People's Republic of China with an American passport and a valid visa but has been detained incommunicado by Chinese authorities since June 19, 1995;

Whereas on June 23, 1995, the Government of the People's Republic of China notified the United States Government of its detention of Harry Wu;

Whereas on June 26, 1995, the United States Government requested that Chinese Government authorities provide

prompt access to Harry Wu;

Whereas Article 35 of the United States-People's Republic of China Consular Convention of February 19, 1982, requires that access to a detained or arrested American citizen be granted no later than 48 hours after a request for such access is made;

Whereas, as of Wednesday, June 28, 1995, the People's Republic of China had failed to act in accordance with the 48 hour consular access provision of the Consular Convention; and

Whereas the Department of State has not been informed of where Harry Wu is being held, nor what charges, if any, are being contemplated, and has not received any assurances that the obligations of the Government of the People's Republic of China under the Consular Convention will be met: Now, therefore, be it

1 *Resolved, That---*

2 (1) The House of Representatives expresses its condemnation
3 of the arrest and detention of Harry Wu and its deep concern for his
4 well-being and freedom;

5 (2) It is the sense of the House of Representatives that---

6 (A) The People's Republic of China must immediately
7 comply with its commitments under the United States-People's
8 Republic of China Consular Convention of February 19, 1982,
9 by allowing consular access to Harry Wu;

10 (B) The People's Republic of China should provide a

1 full accounting to the United States for Harry Wu's arrest and
2 detention, and should immediately and unconditionally release
3 him; and

4 (C) The President of the United States should use every
5 diplomatic means available to ensure Harry Wu's safety and
6 well-being, and to secure his immediate and unconditional
7 release.

8 (3) The Clerk of the House shall transmit copies of this
9 resolution to the President of the United States, to the Embassy of the
10 People's Republic of China in the United States, and to President
11 Jiang Zemin of the People's Republic of China.

104TH CONGRESS
1ST SESSION

H. RES. 158

Congratulating the people of Mongolia on the 5th anniversary of the first democratic multiparty elections held in Mongolia on July 29, 1990.

IN THE HOUSE OF REPRESENTATIVES

MAY 25, 1995

Mr. BEREUTER (for himself, Mr. BERMAN, Mr. GILMAN, Mr. HAMILTON, Mr. LEACH, and Mr. ROHRBACHER) submitted the following resolution; which was referred to the Committee on International Relations

RESOLUTION

Congratulating the people of Mongolia on the 5th anniversary of the first democratic multiparty elections held in Mongolia on July 29, 1990.

Whereas in 1990 Mongolia ended nearly 7 decades of Soviet domination and single party Communist rule;

Whereas the 1992 Mongolian constitution established Mongolia as an independent and sovereign republic and guaranteed fundamental human rights;

Whereas the people of Mongolia enjoyed their first multiparty democratic elections on July 29, 1990, and their first direct presidential election on June 6, 1993;

Whereas the Department of State's 1994 Country Report on Human Rights practices commended Mongolia for "steady—if sometimes uneven—progress in its transition

from a highly centralized Communist-led state toward a full-fledged multiparty democracy”;

Whereas Mongolia continues its efforts to develop a market economy;

Whereas the United States has sought to assist Mongolia’s movement toward democracy and market-oriented reforms by granting most-favored-nation status and providing insurance by the Overseas Private Investment Corporation, supporting Mongolia in international assistance organizations, and providing \$35,000,000 in bilateral assistance; and

Whereas United States-funded programs of nongovernment organizations, such as the National Endowment for Democracy and the Asia Foundation, have helped build democracy in Mongolia: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) commends Mongolia for courageous efforts
3 to transform itself from a single-party state to a
4 multiparty state and from a controlled to a free
5 market economy;

6 (2) congratulates Mongolia for the swift and
7 peaceful changes that have taken place since the ap-
8 pearance of the internal reform movement in Decem-
9 ber 1989;

10 (3) cites for particular praise Mongolia’s first
11 multiparty democratic elections on July 29, 1990,
12 and first direct presidential election on June 6,
13 1993;

3

1 (4) urges the Government of Mongolia to con-
2 tinue to strengthen and deepen democratic reform
3 and human rights in order to enhance representative
4 and accountable government;

5 (5) commends the parallel movement in Mongo-
6 lia toward a free market economy through economic
7 reforms;

8 (6) notes that the best hope for accelerated eco-
9 nomic growth is to attract more foreign investment
10 by further liberalizing the economy and expanding
11 trade with nontraditional partners, including the
12 United States; and

13 (7) pledges its continued support for democ-
14 racy, human rights, and the development of a free
15 market in Mongolia.

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H. RES. 158**

OFFERED BY MR. BEREUTER

Whereas in 1990 Mongolia ended nearly 7 decades of Soviet domination and single party Communist rule;

Whereas the 1992 Mongolian constitution established Mongolia as an independent and sovereign republic and guaranteed fundamental human rights;

Whereas the people of Mongolia enjoyed their first multiparty democratic elections on July 29, 1990, and their first direct presidential election on June 6, 1993:

Whereas the Department of State's 1994 Country Report on Human Rights practices commended Mongolia for "steady—if sometimes uneven—progress in its transition from a highly centralized Communist-led state toward a full-fledged multiparty democracy";

Whereas Mongolia continues its efforts to develop a market economy;

Whereas the United States has sought to assist Mongolia's movement toward democracy and market-oriented reforms by granting most-favored-nation status and providing insurance by the Overseas Private Investment Corporation, supporting Mongolia in international assistance organizations, and providing \$35,000,000 in bilateral assistance; and

Whereas United States-funded programs of nongovernment organizations, such as the National Endowment for Democracy and the Asia Foundation, have helped build democracy in Mongolia: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

1 (1) commends Mongolia for courageous efforts
2 to transform itself from a single-party state to a
3 multiparty state and from a controlled to a free
4 market economy;

5 (2) congratulates Mongolia for the swift and
6 peaceful changes that have taken place since the ap-
7 pearance of the internal reform movement in Decem-
8 ber 1989;

9 (3) cites for particular praise Mongolia's first
10 multiparty democratic elections on July 29, 1990,
11 and first direct presidential election on June 6,
12 1993;

13 (4) urges the Government of Mongolia to con-
14 tinue to strengthen and deepen democratic reform
15 and human rights, including the full protection of
16 religious freedom and other civil liberties, in order to
17 enhance representative and accountable government;

18 (5) commends the parallel movement in Mongo-
19 lia toward a free market economy through economic
20 reforms;

21 (6) notes that the best hope for accelerated eco-
22 nomic growth is to attract more foreign investment
23 by further liberalizing the economy and expanding
24 trade with nontraditional partners, including the
25 United States; and

1 (7) pledges its continued support for democ-
2 racy, human rights, and the development of a free
3 market in Mongolia.

HONORABLE JAY KIM
41st DISTRICT CALIFORNIA

STATEMENT ON
H RES. 158
COMMITTEE ON INTERNATIONAL RELATIONS

JULY 19, 1995

Mr. Chairman, I support the amendment in the nature of a substitute offered by Asia Subcommittee Chairman Doug Bereuter. This substitute includes the amendment I drafted at the Subcommittee-level highlighting the need to ensure full protection of religious freedom and other civil liberties in Mongolia. My initiative was accepted by the Subcommittee and I appreciate the support it received.

On this, the fifth anniversary of the first democratic multiparty elections held in Mongolia, I want to commend the Mongolian people for the significant political and economic reforms they have made such a relatively short period of time. Prior to 1990, Mongolia was a subservient, Soviet satellite state isolated from the rest of the world. Mongolia did not even have diplomatic or trade relations with most countries of the world including the United States. Tens of thousands of Soviet Red Army troops were stationed in the country. As in other captive nations, the Communist Party monopolized power in Mongolia.

All of that changed five years ago. After nearly seven decades of Communist rule, the Mongolians held their first multiparty democratic elections and embarked on a very ambitious course of democratic and economic reform. And, Mongolians are proud of their new direction. While their on-going transition has had its obstacles and temporary setbacks, compared to the progress of its giant neighbors, namely Russia and China, Mongolia is a welcome success. As one Mongolian boasted to me, "We have evolved from a communist monopoly to a democracy without blowing up the parliament or running over students with tanks." Perhaps Mongolia's neighbors could learn a thing or two from Ulan Bator.

Without question, Mongolia faces tough challenges and growing pains during this period of transition. I realize that difficulties can arise during such a comprehensive reform effort. It is in this positive context that I raise concern about the possible erosion of religious freedom as guaranteed in the 1992 Mongolian Constitution.

I am aware that last year the Mongolian Great State Hural--the parliament--passed a new law which seemed to target the free exercise of religion by Mongolians who chose to worship in Christian churches. I am also aware that the Constitutional Court, recognizing that some of the provisions of this law did, indeed, undermine freedom of religion, declared those provisions unconstitutional. Some other questionable provisions in the Law on Church-State Relations were modified by amendment in the parliament. To me, these actions demonstrate a willingness by the Mongolian government and people to address civil liberties issues through a democratic process respecting the rule of law. That's very commendable.

Unfortunately, there appear to be some in Mongolia who still believe in the direct government regulation of religious institutions and the primacy of one religion over others despite constitutional guarantees protecting religious freedom. I have received disturbing reports that they have blocked further needed corrections to the laws governing Church-State relations. I have also been told that some of these elements have resorted to harassment, intimidation and even violence against certain Christians in Mongolia. And, the government has been slow to react. If these reports are accurate, they are troubling to me insofar as allowing such affronts to Mongolia's constitutional guarantees raise questions about the country's overall commitment to democratic reform.

Thus, Mr. Chairman, I believe that it is important for us to specifically mention the full protection of religious freedom and other civil liberties when noting our support for Mongolia's continuing efforts to strengthen and deepen democratic reforms and human rights. The House of Representatives should send the message that we do care about the full protection of religious freedom and other civil liberties. And, while I have focused my attention on religious freedom, I have received credible reports of failure to respect the Constitutionally guaranteed rights against cruel and unusual punishment and freedom of assembly.

I am confident that the vast majority of Mongolians are also committed to these goals. I do want to over-react to specific incidents. Therefore, the modification I proposed to H.Res. 158 isn't critical in nature. Rather it reinforces the commendable efforts of Mongolians in the areas of human rights and democratic reform and lets them know that these efforts are recognized by the U.S. House of Representatives. Above all, this resolution sends the message to Mongolia that the U.S. is a friend and does care about Mongolia.

Mr. Chairman, I urge my colleagues on the Committee to support H.Res. 158 as modified by the Asia Subcommittee. Thank you.

Statement of
Congressman Benjamin A. Gilman on
H.Res. 158, Mongolia

I WANT TO THANK THE CHAIRMAN AND RANKING MINORITY MEMBER OF THE ASIA AND PACIFIC SUBCOMMITTEE FOR CRAFTING H.CON.RES.158, A RESOLUTION COMMENDING THE MONGOLIAN GOVERNMENT AND ITS PEOPLE FOR THE ADVANCES MADE IN DEMOCRACY AND DEVELOPING A MARKET ECONOMY.

LIKE MOST OF THE FORMER SOVIET BLOC COUNTRIES THAT HAVE EXPERIENCED DRAMATIC TRANSITION, MONGOLIA HAS APPARENTLY WEATHERED THE WORST OF IT. THE POLITICAL SITUATION HAS STABILIZED MORE RAPIDLY THAN MOST OBSERVERS WOULD HAVE BELIEVED POSSIBLE. OPPOSITION PARTIES ARE QUITE STRONG AND LEARNING ALL THE TIME, AND THE RULING PARTY WHICH IS THE FORMER COMMUNIST PARTY HAS SHOWN FLEXIBILITY AND A WILLINGNESS TO ADAPT TO THE DRAMATIC CHANGES AND EXPECTATIONS OF THE PEOPLE.

ON THE ECONOMIC SIDE, MARKET FORCES HAVE BEEN FIRMLY ESTABLISHED IN THE COUNTRY.

OVERALL, MONGOLIA HAS RESPONDED IN A VIGOROUS AND ENTHUSIASTIC WAY TO THE IDEAS AND CONCERNS OF THE DONOR GROUPS AND CONCERNED PEOPLES AND COUNTRIES IN ALL PARTS OF THE WORLD. IT IS THEREFORE IMPORTANT WHATEVER ADVANCES THE PEOPLE OF MONGOLIA HAVE MADE ARE RECOGNIZED AROUND THE WORLD. ACCORDINGLY, I URGE MY COLLEAGUES TO VOTE FOR H.CON.RES.158.

Opening Statement for
 Congressman Benjamin A. Gilman on
 Full Committee Hearing on Cyprus
 July 19, 1995

Today's overview of current U.S. policy toward Cyprus comes on the eve of the 21st anniversary of the brutal invasion by Turkish troops. Today the international community is still faced with the fact that in excess of 30,000 Turkish military personnel remain on the island to enforce an illegal partition and protect a self-proclaimed government that has been recognized by only one other country -- Turkey itself.

Those of us in Congress who have supported a negotiated settlement to the dispute which has led to the division of Cyprus are painfully aware of the complexities of the issue, the injustices committed, and particularly the suffering over these many long years of the Cypriot people on both sides of the Green line. Indeed Cyprus has become a code-word for stale-mate and intractability in international diplomacy.

Last year, the House passed H.R. 2826, which provides for an investigation by the President of the whereabouts of persons missing in Cyprus since 1974. The resolution of the question of the whereabouts of 1,619 persons -- including five Americans -- needs to be resolved. The U.N. has been looking into this matter since the early 1980s and has not solved a single case. I understand that former Ambassador Bob Dillon who has had long experience in the region will head the investigative team. I hope the Administration and President Clinton will diligently pursue an investigation that can provide to the families and friends of the missing some long overdue answers. I also hope the governments of Turkey and Cyprus will cooperate fully in providing all available information to the President as he conducts this investigation.

Old history and grievances must be placed behind us as we seek to resolve the division of Cyprus. I hope and pray that both sides of the problem will reach within themselves to find the resolve to settle this persistent problem. The Greek Cypriots have demonstrated flexibility and the spirit of compromise in recent rounds of U.N. sponsored talks. The international community and the U.N. should recognize this as we re-evaluate our tactics in the light of the most recent failure to move beyond the current situation.

I have urged and will continue to urge the Administration to do more to focus the Turkish government on the necessity of withdrawing from Cyprus without further delay. Unfortunately, Prime Minister Ciller seems to be in a weak position and unable to reign-in recalcitrant elements among Turkey's political and military establishment. But the fortunes of the people of Cyprus must not be held hostage to internal Turkish political problems.

Twenty-one years is a long time. There are now young people coming of age in Cyprus who know nothing other than the experience of living in a divided society. For this next generation what can guide them in learning to accept life with a neighboring but different culture? Time is running out for the possibility of achieving a peaceful settlement, and the people of Cyprus now have to ask themselves if the enmity between the two communities is truly worth the price of a divided nation.

We welcome our distinguished witnesses to this hearing. We will begin with three officials from the State Department who have day-to-day responsibility for our relations with Cyprus and our efforts to help reach a solution to this difficult problem. After we hear from Assistant Secretary Holbrooke, Special Coordinator for Cyprus Jim Williams, and our good Ambassador to Cyprus Richard Boucher, we will hear from representatives of the Greek and Turkish-Cypriot communities, Mr. Phil Christopher, and Mr. Joseph Youssef.

When we have a quorum present, we will suspend this hearing in order to conduct a mark-up of H. Con. Res. 42, concerning the demilitarization of Cyprus.

ILEANA ROS-LEHTINEN
18TH DISTRICT, FLORIDA

COMMITTEES

INTERNATIONAL RELATIONS
GOVERNMENT REFORM

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Ileana Ros-Lehtinen
7/19/95

Mr. Chairman, I think you are to be commended for moving so quickly to hold a hearing and to markup this resolution.

The situation in Cyprus is one that deserves our attention. Twenty years ago the Greek population of Cyprus lived in peace and friendship with the Turkish Cypriots in a democratic government.

The Greeks did not abuse their electoral strength, and despite being 80 percent of the Cypriot population they did not use the opportunity to deny the Turkish minority its rights to full participation in that democratic system.

Nonetheless, the country was invaded by the Turkish Army and forcibly divided.

Since then all efforts to restore Cyprus to national sovereignty and to restore the legitimate government's authority over all the national territory have been to no avail.

I sincerely hope that the Government of Turkey will heed the consensus among the democratic states of the world and put an end to its illegal occupation of northern Cyprus.

One of the most remarkable things about the Turkish action is that it has not been to the benefit of those for whom the action was intended to benefit.

Since the Turkish invasion, the per capita income of the Greek Cypriots living under the legitimate and recognized government of Cyprus has soared from less than \$1,500 in 1973 to \$10,430 in 1993, while the Turkish Cypriot income has stagnated.

The European Union is moving toward a decision in which the Greek Cypriots will be offered membership in the European Union, while simultaneously taking measures to further isolate the Turkish Cypriots from their market opportunities in Europe.

The citizens of the Republic of Turkey have also suffered economically from the foolish decision made two decades ago to invade Cyprus.

As I understand it, the European Union is willing to negotiate a customs union with Turkey which would give Turkey duty free access to the 367 million residents of the European Union countries.

But that customs union cannot be achieved until there is a settlement in Cyprus to restore the legitimate government to full control of the island.

The resolution before us today is a very moderate resolution that supports the rights of the Greek Cypriots to democratic government over the entire national territory.

Again, I thank you for holding this hearing and look forward to hearing from our witnesses on what progress has been made toward a full democracy in Cyprus.

104TH CONGRESS
1ST SESSION

H. CON. RES. 42

Supporting a resolution to the long-standing dispute regarding Cyprus.

IN THE HOUSE OF REPRESENTATIVES

MARCH 16, 1995

Mr. ENGEL (for himself, Mr. PORTER, Mr. TORRICELLI, Mr. SMITH of New Jersey, Mr. ACKERMAN, Ms. ROS-LEHTINEN, Mr. ANDREWS, Mr. BILIRAKIS, Mr. MENENDEZ, Mr. GEKAS, Mrs. MALONEY, Mr. ZIMMER, Mr. PALLONE, and Mr. FORBES) submitted the following concurrent resolution; which was referred to the Committee on International Relations

CONCURRENT RESOLUTION

Supporting a resolution to the long-standing dispute
regarding Cyprus.

Whereas the long-standing dispute regarding Cyprus remains unresolved;

Whereas the military occupation by Turkey of a large part of the territory of the Republic of Cyprus has continued for over 20 years;

Whereas the status quo on Cyprus remains unacceptable;

Whereas the United States attaches great importance to a just and peaceful resolution of the dispute regarding Cyprus;

Whereas the United Nations and the United States are using their good offices to resolve such dispute;

Whereas on January 5, 1995, President Clinton appointed a Special Presidential Emissary for Cyprus;

Whereas the United Nations has adopted numerous resolutions that set forth the basis of a solution for the dispute regarding Cyprus;

Whereas paragraph (2) of United Nations Security Council Resolution 939 of July 29, 1994, reaffirms that a solution must be based on a State of Cyprus with a single sovereignty and international personality, and a single citizenship, with its independence and territorial integrity safeguarded, and comprising two politically equal communities in a bizonal and bicomunal federation, and that such a settlement must exclude union in whole or in part with any other country or any form of partition or secession;

Whereas the United Nations Secretary General has described the occupied part of Cyprus as one of the most highly militarized areas in the world;

Whereas the continued overwhelming presence of more than 30,000 Turkish troops on Cyprus hampers the search for a freely negotiated solution to the dispute regarding Cyprus;

Whereas the United Nations and the United States have called for the withdrawal of all foreign troops from the territory of the Republic of Cyprus; and

Whereas comprehensive plans for the demilitarization of the Republic of Cyprus have been proposed: Now, therefore, be it

- 1 *Resolved by the House of Representatives (the Senate*
- 2 *concurring), That the Congress—*

1 (1) reaffirms that the status quo on Cyprus is
2 unacceptable;

3 (2) welcomes the appointment of a Special
4 Presidential Emissary for Cyprus;

5 (3) expresses its continued strong support for
6 efforts by the United Nations Secretary General and
7 the United States Government to help resolve the
8 Cyprus problem in a just and viable manner at the
9 earliest possible time;

10 (4) insists that all parties to the dispute regard-
11 ing Cyprus agree to seek a solution based upon the
12 relevant United Nations resolutions, including para-
13 graph (2) of United Nations Security Council Reso-
14 lution 939 of July 29, 1994;

15 (5) reaffirms the position that all foreign troops
16 should be withdrawn from the territory of the Re-
17 public of Cyprus;

18 (6) considers that demilitarization of the Re-
19 public of Cyprus would meet the security concerns of
20 all parties involved, would enhance prospects for a
21 peaceful and lasting resolution of the dispute regard-
22 ing Cyprus, would benefit all of the people of Cy-
23 prus, and merits international support; and

24 (7) encourages the United Nations Security
25 Council and the United States Government to con-



3 9999 05983 757 3

1 sider alternative approaches to promote a resolution
2 of the long-standing dispute regarding Cyprus based
3 upon relevant Security Council resolutions, including
4 incentives to encourage progress in negotiations or
5 effective measures against any recalcitrant party.

AMENDMENT TO H. CON. RES. 42**OFFERED BY MR. ENGEL AND MR. GILMAN**

Page 2, in the eighth clause of the preamble—

(1) strike "paragraph (2) of"; and

(2) strike "in a bizonal and bicommunal federation" and insert ", as described in the relevant Security Council resolutions, in a bicommunal and bizonal federation".

Page 3, beginning on line 12, strike "paragraph (2) of United Nations".

Page 3, line 18, insert "ultimate, total" after "considers that".



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